



W.P.(MD)No.19084 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.19084 of 2025

A.Soosai Arul

... Petitioner

-VS-

1.The Managing Director,
Tamil Nadu State Transport Corporation (KMB) Ltd.,
New Railway Station Road,
Kumbakonam - 612 001.

2.The General Manager,
Tamil Nadu State Transport Corporation (KMB) Ltd.,
Karaikudi Region, Managiri Post,
Maruthapathi, Karaikudi,
Sivagangai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to calculate the petitioner's service period from 20.10.1987 instead of 19.10.1988 and to calculate the service period 31 years instead of 30 years and disburse the difference amount of terminal benefits with interest at the rate of 6% on the basis of the petitioner's representation, dated 20.02.2025, within the time frame to be fixed by this Court.

For Petitioner

: Mr.K.Gokul



WEB COPY



W.P.(MD)No.19084 of 2025

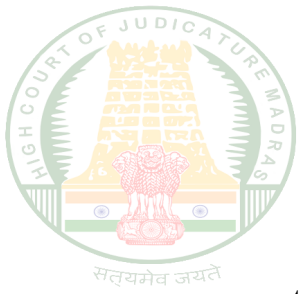
For Respondents

: Mr.K.Ramaiah
Standing Counsel

ORDER

This Writ Petition has been filed seeking a direction to the respondents to reckon the petitioner's service period from 20.10.1987 instead of 19.10.1988, to calculate the total qualifying service as 31 years instead of 30 years and consequently, to disburse the balance amount of terminal benefits along with interest at the rate of 6% per annum, based on the petitioner's representation dated 20.02.2025.

2. The petitioner was appointed as a Driver in the respondent Corporation on 20.10.1987 and was made permanent on 19.10.1988. He retired from service on 30.06.2018. The learned counsel for the petitioner submits that, although the actual date of appointment was 20.10.1987, the respondents erroneously reckoned the petitioner's service from 19.10.1988. As a result, the differential amount of terminal benefits due to the petitioner has not been disbursed. Despite making several representations in person to the respondents, no effective action was taken. Subsequently, the petitioner submitted a written representation dated 20.02.2025, seeking redressal of the issue. However, as no action has been taken

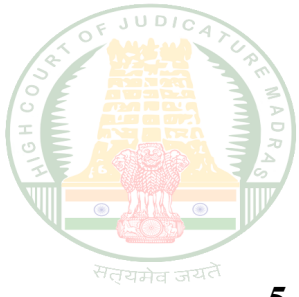


W.P.(MD)No.19084 of 2025

pursuant to the said representation, the petitioner is left with no alternative but to approach this Court by way of the present Writ Petition seeking appropriate relief.

3. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon him to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.

4. In the light of the above observations, there shall be a direction to the first respondent to consider the petitioner's representation dated 20.02.2025, on its own merits and pass appropriate orders in accordance with law, within a period of two months from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the first respondent to consider the same on its own merits.



W.P.(MD)No.19084 of 2025

WEB COPY

5. With the above observations and directions, the Writ Petition stands disposed of. There shall be no order as to costs.

NCC : Yes / No

15.07.2025

Index : Yes / No

smn2

To:-

- 1.The Managing Director,
Tamil Nadu State Transport Corporation (KMB) Ltd.,
New Railway Station Road,
Kumbakonam - 612 001.
- 2.The General Manager,
Tamil Nadu State Transport Corporation (KMB) Ltd.,
Karaikudi Region, Managiri Post,
Maruthapathi, Karaikudi,
Sivagangai District.



WEB COPY



W.P.(MD)No.19084 of 2025

VIVEK KUMAR SINGH, J.

smn2

W.P.(MD)No.19084 of 2025

15.07.2025