



W.P.(MD)No.19249 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.19249 of 2025

R.Sethuramalingam

... Petitioner

-VS-

1.The Managing Director,
Tamil Nadu State Transport Corporation,
(Kumbakonam Ltd.)
Kumbakonam.

2.The General Manager,
Tamil Nadu State Transport Corporation,
(Kumbakonam Ltd.),
Karur Region,
Karur - 639 003.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to take necessary action on the basis of the petitioner's representation dated 21.05.2024 with regard to provide proper pension and all other attendant monetary benefits to the petitioner within a time frame fixed by this Court.

For Petitioner : Mr.D.Anbarasu

For Respondents : Mr.K.Ramaiah
Standing Counsel



W.P.(MD)No.19249 of 2025

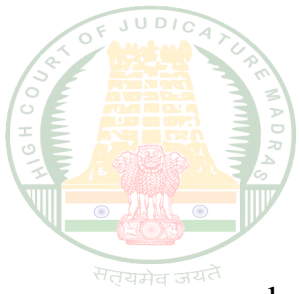
WEB COPY

ORDER

This Writ Petition has been filed seeking a direction to the respondents to consider and take appropriate action on the petitioner's representation dated 21.05.2024, with regard to the grant of proper pension and all other attendant monetary benefits, within a time frame to be fixed by this Court.

2. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

3. According to the petitioner, he had been serving under the respondent Transport Corporation for nearly 30 years and was last posted at Karur - I Branch. While in service, the petitioner was issued with a charge memo dated 24.12.2021 alleging unauthorised absence from duty from 08.12.2021 without prior permission or intimation to the Corporation. In response to the said charge memo, the petitioner submitted a detailed explanation, denying all the allegations levelled against him. However, despite the same, the respondent Corporation proceeded with a departmental enquiry. According to the petitioner, the enquiry was conducted in a biased manner without affording him a fair opportunity to present his case or submit relevant documents in his defence. Subsequently, the



W.P.(MD)No.19249 of 2025

second respondent issued a show cause notice dated 21.06.2022, regarding the proposed punishment. To the petitioner's shock and surprise, an order dated 16.07.2022 was passed by the second respondent, imposing a penalty of reduction of one stage in his basic pay. The petitioner contends that this punishment is arbitrary, without authority of law and not contemplated under the standing orders of the Corporation.

4. Challenging the legality of the said punishment, the petitioner filed a Writ Petition in W.P.(MD)No.3011 of 2024 before this Court, seeking to quash the order dated 16.07.2022. This Court was pleased to allow the said writ petition. In the meantime, the petitioner retired from service on 31.05.2024 and was formally relieved by the Corporation vide its letter dated 29.05.2024. Prior to his retirement, the petitioner had submitted a detailed representation dated 21.05.2024, requesting the grant of proper pension and all other attendant benefits as per law. Despite receipt of the said representation, no action was taken by the respondent Corporation.



W.P.(MD)No.19249 of 2025

WEB COPY

5. The petitioner submits that at the time of his retirement, his last drawn basic pay was Rs.22,400/-. However, he is currently receiving a pension of only Rs.6,764/-, whereas he is eligible for a monthly pension of Rs.11,467/- as per applicable rules and calculations. Seeking clarification, the petitioner submitted a request under the Right to Information Act, 2005 on 20.07.2024 to the first respondent, seeking details regarding his pension calculation. However, no response has been received till date. In the light of the above facts and inaction on the part of the respondents, the petitioner has been left with no other effective remedy but to approach this Court by way of the present writ petition, seeking appropriate directions.

6. Heard both sides.

7. 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



W.P.(MD)No.19249 of 2025

hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of the India and direct them to consider the same within a stipulated time.

8. In the light of the above observations, there shall be a direction to the respondents herein to consider the petitioner's representation dated 21.05.2024, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, 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 respondents to consider the same on its own merits.

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

NCC : Yes / No
Index : Yes / No
smn2

17.07.2025



W.P.(MD)No.19249 of 2025

To:-
WEB COPY

- 1.The Managing Director,
Tamil Nadu State Transport Corporation,
(Kumbakonam Ltd.)
Kumbakonam.
- 2.The General Manager,
Tamil Nadu State Transport Corporation,
(Kumbakonam Ltd.),
Karur Region,
Karur - 639 003.



WEB COPY



W.P.(MD)No.19249 of 2025

VIVEK KUMAR SINGH, J.

smn2

W.P.(MD)No.19249 of 2025

17.07.2025