



W.P.(MD)No.19535 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.19535 of 2025

V.Durai

... Petitioner

-VS-

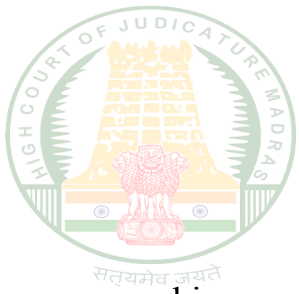
1.The Managing Director,
Tamil Nadu State Transport Corporation (Kum) Limited,
TNSTC Head Office,
No.27, Railway Station New Road,
Kumbakonam - 612 001.

2.The General Manager,
Tamil Nadu State Transport Corporation (Kum) Ltd.,
Trichy Region,
Periyamilaguparai,
Trichy.

3.The Administrator,
Tamil Nadu State Transport Corporation
Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Ssalai,
Chennai – 02.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 3 to pay the petitioner's monthly pension along with arrears by taking into account of date of



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his appointment i.e., 05.04.2001 for his monthly pension calculations by considering the petitioner's representation dated 16.06.2025.

For Petitioner : Mr.SP.Vijay Nivas

For R1 and R2 : Mr.K.Ramaiah
Standing Counsel

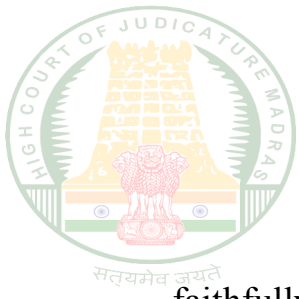
For R3 : Mr.S.C.Herold Singh
Standing Counsel

ORDER

This Writ Petition has been filed seeking a direction to the respondents 1 and 3 to pay the petitioner's monthly pension along with arrears, by taking into account the date of his initial appointment, i.e., 05.04.2001, for the purpose of pension calculation, by considering the petitioner's representation dated 16.06.2025.

2. By consent, this Writ Petition is disposed of, at the admission stage itself.

3. According to the petitioner, he is a retired employee of the Tamil Nadu State Transport Corporation (KUM) Ltd., who had served the Corporation



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faithfully and without blemish for more than 24 years, having been appointed as a 'Conductor' on 25.04.2001 and retired as a 'Special Grade Conductor' on 31.05.2025. Through out his service, statutory deductions, including 12% from his basic pay towards pension contributions, were regularly made from his salary. Despite the petitioner attaining superannuation on 31.05.2025, his monthly pension has not been disbursed by the respondents, even after lapse of more than two months. Multiple representations, including a formal one dated 16.06.2025, have been submitted to the respondents requesting disbursement of his pension and arrears. However, no action has been taken so far and no pension amount has been credited.

4. The petitioner submits that the inaction on the part of the respondents is arbitrary and causes undue hardship to the petitioner, who is now solely dependent on his pension for survival. Therefore, the petitioner prays that this Court may be pleased to issue appropriate directions to the respondents to pay his monthly pension along with arrears by taking into account his date of appointment from 05.04.2001, in accordance with law and based on his representation dated 16.06.2025.



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5. Heard both sides.

6. 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.

7. In the light of the above observations, there shall be a direction to the third respondent to consider the petitioner's representation dated 16.06.2025, on its own merits and pass appropriate orders in accordance with law, within a period of six weeks 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 third respondent to consider the same on its own merits.



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

NCC : Yes / No
Index : Yes / No
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VIVEK KUMAR SINGH, J.

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