



W.P.(MD)No.21748 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **11.08.2025**

CORAM:

THE HONOURABLE **MR.JUSTICE M.DHANDAPANI**

W.P.(MD) No.21748 of 2025

Sekar Rao

: Petitioner

Vs.

1. The Managing Director,
Tamil Nadu State Transport Corporation (Kumbakonam) Limited,
Kumbakonam,
Thanjavur District.

2. The General Manager,
Tamil Nadu State Transport Corporation (Kumbakonam) Limited,
Trichy Region,
Periyamilaguparai,
Tiruchirappalli District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing respondents to recalculate the petitioner's gratuity amount correctly as per applicable rules and pay the differential sum of Rs.1,51,445/- along with interest at 6 percent per annum from the date of retirement till the date of payment.

For Petitioner : Mr.N.Sudhagar Nagaraj

For Respondents : Mr.S.C.Herold Singh

Standing Counsel



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ORDER

This writ petition has been filed seeking a direction to the respondents to recalculate the petitioner's gratuity amount correctly, as per applicable rules and pay the differential sum of Rs.1,51,445/- along with interest at 6 percent per annum from the date of retirement till the date of payment.

2. By consent of both parties, this writ petition is disposed at the stage of admission itself.

3. According to the petitioner, he is a retired employee of the respondent Corporation and he retired from service on 31.05.2015. The petitioner was paid only a sum of Rs.4,22,633/- towards his gratuity amount. However, there is a differential amount in the said gratuity amount. In this regard, the petitioner made a representation dated 27.03.2025 to the respondents and the same has not been considered till date.

4. The learned counsel appearing for the petitioner submits that though the aforesaid relief has been sought for by the petitioner, now, he



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confines the prayer that it would suffice if the representation submitted by the petitioner dated 27.03.2025 is disposed of in accordance with law.

5. 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.

6. In the light of the above observations, there shall be a direction to the respondents to consider the petitioner's representation dated 27.03.2025, 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 respondents to consider the same on its own merits.



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

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Index : Yes / No
NCC : Yes / No
Sm



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M.DHANDAPANI, J.

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