



W.P.(MD).No.21936 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 30.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.21936 of 2023

Srinivasan

... Petitioner

-VS-

1. The Managing Director,
Tamil Nadu State Transport Corporation (TNSTC)
(Madurai) Limited,
Bye Pass Road,
Madurai - 625 016.

2. The Administrator,
Tamil Nadu State Transport Corporation
(TNSTC) Employees Pension Fund Trust,
Office of the SETC HO,
Thiruvalluvar House,
Pallavan Salai,
Chennai – 600 002.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the Respondents No.1 and 2 to provide additional increment as bonus increment for the 40 years of service and consequently direct the respondents no.1 and 2 to revise the terminal benefits and pension as per the G.O.(Ms).No.91 dated 26.02.2021 by considering petitioner's representation dated 27.07.2023 within a time frame as may be fixed by this Court.



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For Petitioner : Mr.R.Karunanidhi
For Respondents : Mr.K.Ramaiah (R1)
TNSTC Standing Counsel
Mr.S.C.Herold Singh (R2)
Standing Counsel

ORDER

This writ petition has been filed seeking a direction to the respondents 1 and 2 to provide additional increment as bonus increment for the 40 years of service and also to direct the respondents 1 and 2 to revise the terminal benefits and pension as per G.O.(Ms).No.91 dated 26.02.2021 by considering the petitioner's representation dated 27.07.2023 within a time frame as may be fixed by this Court.

2. Heard the learned counsel on either side.

3. The petitioner was appointed in the post of 'Attender' in the erstwhile Pandian Roadways Corporation Limited and has completed 41 years of service and finally, he, retired from service in the post of Special Grade Attender. While this being so, the Government has issued Government



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Order in G.O.Ms.No.91, Finance (Pay Cell) Department, dated 26.02.2021, granting one additional increment as bonus increment for the employees completing 40 years of continuous service. Hence, the petitioner made a representation on 27.07.2023 seeking the said relief. Since the said representation has not been considered, the petitioner filed this writ petition.

4. 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.

5. In the light of the above observations, there shall be a direction to the first respondent to consider the petitioner's representation dated 27.07.2023, 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



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to the merits of the matter and that it is open to the respondents to consider the same on its own merits.

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

30.06.2025

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

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Order made in
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