



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **13.12.2019**

CORAM:

THE HONOURABLE **MR. JUSTICE M.S.RAMESH**

W.P.(MD) No.26592 of 2019

WEB COPY

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... Petitioner

/vs./

1.The Managing Director,
State Express Transport Corporation,
Pallavan Street, Chennai-2.

2.The General Manager (O&A),
State Express Transport Corporation,
Pallavan Street,
Chennai-600 002.

3.The Branch Manager,
State Express Transport Corporation Ltd.,
Kanyakumari Branch,
Kanyakumari, Kanyakumrai District. ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus, directing the respondents to provide 4th Review/Increase in Basic Pay i.e., Selection Grade Senior Driver on par with juniors with all monitory benefits within the time stipulated by this Court.

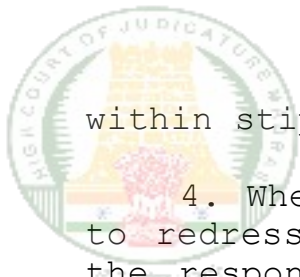
For Petitioner : Mr.S.Lousi
For Respondents : Mr.K.Sathiya Singh
Standing Counsel

ORDER

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2. Though the petitioner has sought for issuance of writ of mandamus to the respondents to provide 4th Review/Increase in Basic Pay i.e., Selection Grade Senior Driver on par with juniors with all monitory benefits, in my view, such a decision is to be taken by the respondents and in case, the petitioner is aggrieved against such any decision, it would be appropriate to approach this Court.

3. The petitioner would submit that he has already made representation on 22.11.2019 in this regard, which is said to be pending. If the said representation is directed to be disposed of



within stipulated time, the ends of justice could be secured.

4. Whenever a representation is made to a statutory authority to redress the claim of the employee, there is a duty cast upon the respondents to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. Such an inaction would amount to dereliction of duties and thereby this Court would be justified in invoking its extraordinary powers under Article 226 of Constitution of India and thereby direct such authority to consider the representation within the stipulated time.

5. In view of the above observations, there shall be a direction to the first respondent herein to consider the petitioner's representation, dated 22.11.2019, on its own merits and pass appropriate orders within a period of eight (8) weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its view with regard to the claim made by the petitioner in his representation and it is for the first respondent to consider it in accordance with law.

6. With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar (CS)

To:

The Managing Director,
State Express Transport Corporation,
Pallavan Street, Chennai-2.

+1 cc to Mr. S.Louis, Advocate SR.No.104940

Order made in
W.P. (MD) No.26592 of 2019

Dated:
13.12.2019

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