



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **08.01.2020**

CORAM:

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

W.P.(MD)No.381 of 2020

M.Kutty Raja

... Petitioner

/vs./

1.The Managing Director,
State Express Transport Corporation,
Pallavan Salai,
Chennai-600002.

2.The Branch Manager,
State Express Transport Corporation,
Melur Road Branch,
Melur Road,
Madurai 625 020.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to consider the petitioner's representation dated 12.12.2019 within the stipulated period that may be fixed by this Court.

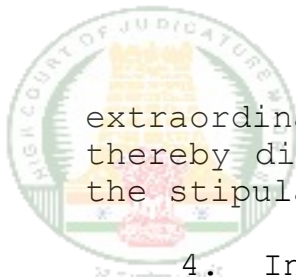
For Petitioner : Mr.B.Senthilkumar
For Respondents : Mr.K.Sathiyasingh
Standing Counsel.

ORDER

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

2.The limited prayer sought for the petitioner is that to consider the representation dated 12.12.2019 seeking for alternative employment.

3.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 merit 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.

4. In view of the above observations, there shall be a direction to the respondents herein to consider the petitioner's representations dated 12.12.2019 on its own merits and pass appropriate orders within a period of four (4) 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 respondents to consider it in accordance with law.

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

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

+1 CC to M/s.B.SENTHILKUMAR, Advocate (SR-711[F] dated 08/01/2020)
+1 CC to M/s.K.SATHIYASINGH, Advocate (SR-1137[F] 09/01/2020)

Order made in
W.P.(MD) No.381 of 2020

Dated:
08.01.2020

sjj
SDS(23.01.2020) 2P-3C