



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **30.01.2020**

CORAM:

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

W.P.(MD) No.1832 of 2020

and

W.M.P.(MD) No.1546 of 2020

D.Janakiram

... Petitioner

/vs./

1.The General Manager,
Tamil Nadu State Transport Corporation
(Kumbakonam) Ltd.,
Karaikudi Region, Madrudhupathy,
Koviloor Road, Managiri Post,
Karaikudi 630 307.

2.The Deputy Manager (Administration),
Tamil Nadu State Transport Corporation
(Kumbakonam) Ltd.,
Karaikudi Region, Madrudhupathy,
Koviloor Road, Managiri Post,
Karaikudi 630 307.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to allot work to the petitioner as driver in the respondent's transport corporation based on the petitioner's representation dated 22.01.2020.

For Petitioner : Mr.R.Velmurugan

For Respondents : Mr.P.Balasubramanian
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 allot work to him as Driver in the respondent Transport Corporation, 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 representations on 03.09.2019, 05.09.2019, 07.09.2019 and 22.01.2020 in this regard, which are 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 respondents herein to consider the petitioner's representation, dated 22.01.2020, 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.

6. With the above directions, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

rmk

+1 CC to M/s.R.VELMURUGAN, Advocate (SR-3872[F] dated 30/01/2020)
+1 CC to M/s.P.BALASUBRAMANIAN, Advocate (SR-4177[F] dated
31/01/2020)

Order made in
W.P.(MD)No.1832 of 2020
Dated: 30.01.2020

JMN(12.02.2020) 2P : 3C

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