



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **10.02.2020**

CORAM:

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

W.P. (MD) No.2518 of 2020

WEB COPY

ES.T.Arivarasukannan

... Petitioner

/vs./

1.President,

Tamil Nadu Government Transport Corporation,
(Madurai Division) Employees and other
Public Services Cooperative Building,
Society Ltd., (Regn No.MDA/HSG 11)
No.12, Pattukottai Kalyanasundaram Street,
Bye Pass Road, Madurai 625 010.

2. Executive Committee,

Tamil Nadu Government Transport Corporation,
(Madurai Division) Employees and other
Public Services Cooperative Building
Society Ltd., (Regn No.MDA/HSG 11)
No.12, Pattukottai Kalyanasundaram Street,
Bye Pass Road, Madurai 625 010

3.Registrar,

Cooperative Societies (Housing)
Ritherndon Road, Vepery, Chennai.

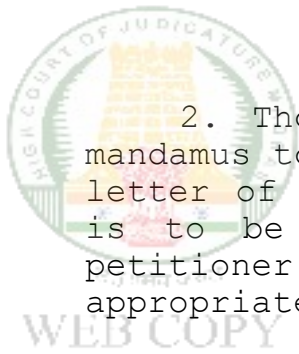
... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 and 2 to accept the resignation letter of petitioner dated 31.08.2019 and relieve him from the post of Secretary of Tamil Nadu Government Transport Corporation, (Madurai Division) Employees and other Public Services Cooperative Building Society Ltd.

For Petitioner : Mr.S.Anand Chandrasekar
for M/s.Saravanabhauman Associates
For Respondents : Mr.J.Senthilkumaraiah
Standing Counsel (for R1 & R2)
Mr.V.Anand
Government Advocate (for R3)

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 direct the respondents 1 and 2 to accept the resignation letter of petitioner dated 31.08.2019, in my view, such a decision is to be taken by the respondents 1 and 2 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 16.12.2019 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 respondents 1 and 2 herein to consider the petitioner's representation, dated 16.12.2019, 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 1 and 2 to consider it in accordance with law.

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

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

rmk

To:

1.The President,

Tamil Nadu Government Transport Corporation,

(Madurai Division) Employees and other

Public Services Cooperative Building,

Society Ltd., (Regn No.MDA/HSG 11)

No.12, Pattukottai Kalyanasundaram Street,

Esso Petrol Bunk, Madurai 625 010.



2.The Executive Committee,
Tamil Nadu Government Transport Corporation,
(Madurai Division) Employees and other
Public Services Cooperatie Building
Society Ltd., (Regn No.MDA/HSG 11)
No.12, Pattukottai Kalyanasundaram Street,
Bye Pass Road, Madurai 625 010

3.The Registrar,
Cooperative Societies (Housing)
Ritherndon Road, Vepery, Chennai.

+1 CC to M/s.SPL GP (SR-5581[F] dated 11/02/2020)

+1 CC to M/s.SARVABHAUMAN ASSOCIATES, Advocate (SR-5694[F] dated
11/02/2020)

Order made in
W.P.(MD)No.2518 of 2020

KK/SAR/19.02.2020/3P-6C/