



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **14.02.2020**

CORAM:

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

W.P. (MD) No.2919 of 2020

and

W.M.P. (MD) No.2476 of 2020

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M.Balasundaram

... Petitioner

/vs./

1.The District Collector,
Karur,
Karur District.

2.The Managing Director,
Tamilnadu Cable TV Corporation,
Chennai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, calling for the records relating to the impugned order of suspension passed by the 1st respondent in his proceedings in Rc.A2/10450/2019 dated 08.07.2019 and quash the same as illegal in the light of order made in Ajay Kumar Choudhary Vs Union of India Case reported in 2015(7) SCC 291 within the period that may be stipulated by this Court.

For Petitioner : Mr.C.Venkatesh Kumar for
M/S.Ajmal Associates

For Respondents : Mr.M.Karuppasamy
Government Advocate

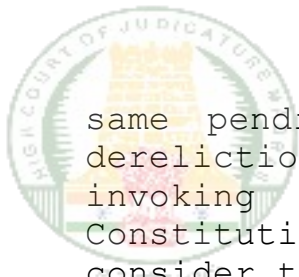
ORDER

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 Certiorari to quash the order dated 08.07.2019 passed in Rc.A2/10450/2019 by the first respondent, 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 submitted a representation on 29.01.2020 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.

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5. In view of the above observations, there shall be a direction to the first respondent herein to consider the petitioner's representation, dated 29.01.2020, in the light of the judgment rendered by the Hon'ble Supreme Court in the case of **Ajay Kumar Choudhary Vs. Union of India (UOI) and others** reported in **2015(7) SCC 291** and pass appropriate orders within a period of two 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 direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-I)

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/ /2020

Sub Assistant Registrar (CS)

To

1. The District Collector,
Karur,
Karur District.

2. The Managing Director,
Tamilnadu Cable TV Corporation,
Chennai.

+1 CC to SPL.GP (SR-6597[F] dated 17/02/2020)

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-6840[F] dated 18/02/2020)

W.P. (MD) No.2919 of 2020
14.02.2020

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