



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.02.2020

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.2983 of 2020

S.Ramasamy

... Petitioner

/vs./

The Tamilnadu State Transport Corporation (Madurai) Ltd.,
represented by its Managing Director,
Madurai.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to dispose of the petitioner's appeal dated 11.02.2012 within the time that may be stipulated by this court preferred before the respondent by him against punishment of increment cut without cumulative effect for one month by the Branch Manager, Dindigul Branch-1 of the respondent corporation in his office proceedings in Ref.SaThu.A5/3675 dated 17.12.2011.

For Petitioner : Mr.A.Rahul
For Respondent : Mr.J.Senthil Kumaraiah
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 direct the respondent to dispose of the appeal dated 11.02.2012.

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 respondent herein to consider the petitioner's appeal dated 11.02.2012 on its own merits and pass appropriate orders within a period of three months 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 respondent to consider it in accordance with law.

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

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Sd/-

Assistant Registrar (AD II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

+1 CC to M/s.J.SENTHIL KUMARAIAH, Advocate (SR-6496[F] dated 14/02/2020)

+1 CC to M/s.A.RAHUL, Advocate (SR-6552[F] dated 14/02/2020)

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