



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **20.02.2020**

CORAM:

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

W.P. (MD) No.3395 of 2020

T.Athamacharan

... Petitioner

/vs./

The Managing Director,
Tamil Nadu State Transport
Corporation (Madurai) Limited,
Bye-pass Road,
Madurai-625 010.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus, to direct the respondent to sanction annual increment to the petitioner for the service rendered for the period from 01.01.2012 to 31.12.2012 along with consequential benefits.

For Petitioner : Mr.C.Thangamani
For Respondents : Mr.J.Senthil Kumaraiah
Standing Counsel

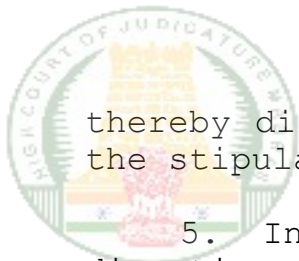
ORDER

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

2.Though the petitioner has sought for issuance of writ of mandamus to direct the respondent to sanction annual increment to him for the service rendered for the period from 01.01.2012 to 31.12.2012 along with consequential benefits, in my view, such a decision is to be taken by the respondent 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 a representation on 10.01.2020 in this regard, which is said to be pending. If the said representation is directed to be disposed of within a 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 respondent herein to consider the petitioner's representation, dated 10.01.2020, on its own merits and pass appropriate orders within a period of eight (8) 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 respondent to consider it in accordance with law.

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

Sd/-

Assistant Registrar (co)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

cp

To:

The Managing Director,
Tamil Nadu State Transport
Corporation (Madurai) Limited,
Bye-pass Road,
Madurai-625 010.

+1 CC to Mr.C.THANGAMANI, Advocate (SR-7658[F] dated 21/02/2020)

+1 CC to Mr.J.SENTHIL KUMARAI AH, Advocate (SR-7704[F] dated 21/02/2020)

Order made in
W.P. (MD) No.3395 of 2020
20.02.2020

VB(10.03.2020) 2P 4C