



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.01.2020

CORAM:

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

W.P. (MD)No.15993 of 2018

A.Balusamy

... Petitioner

/vs./

1.The Managing Director,
Tamilnadu Newsprint and Papers Limited,
No.76, Annasalai,
Guindy, Chennai - 600 032.

2.The Executive Director,
Tamilnadu Newsprint and Papers Limited,
Kagithapuram,
Karur District - 639 136.

3.The General Manager,
Human Resource (H.R.),
Tamilnadu Newsprint and Papers Limited,
Kagithapuram,
Karur District - 639 136.

4.M/s.Best Security Services Pvt. Ltd.,
(Providing Security Guards to TNPL Unit-I),
New 2, Luz Avenue, 4th Cross Street,
Mylapore, Chennai - 04.

5.M/s.Ruby Global Redeemer,
(Providing Security Guards to TNPL Unit-I),
No.9, Iind Floor, Phoenix Tower,
No.6, Venkatesan Street, Tambaram West,
Chennai - 600 045.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus, directing the respondents thereby reinstate the petitioner's job as Security in the 2nd and 3rd respondents office within stipulated time in accordance with law.

For Petitioner	: Mr.P.Dhanasekaran
For R-1 to R-3	: Mr.M.P.Senthil
For R-4	: Mr.V.O.S.Kalaiselvam
For R-5	: No appearance

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 reinstate the petitioner's job as



Security in the 2nd and 3rd respondents office, 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 representation on 07.06.2018 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 herein to consider the petitioner's representation, dated 07.06.2018, on its own merits and pass appropriate orders within a period of twelve (12) 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.

Sd/-

Assistant Registrar (P&A)

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Sub Assistant Registrar(CS)

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+1 CC to M/s.P.DHANASEKARAN, Advocate (SR-1525[F]

+1 CC to M/s.M.P.SENTHIL, Advocate (SR-1339[F] dated 10/01/2020)

Order made in
W.P.(MD)No.15993 of 2018
Dated:09.01.2020

SMA/04/02/2020/2P/3C