



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.01.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P. (MD) No.713 of 2021

Chinnaraja

...Petitioner

Vs.

1.The General Manager,
Tamil Nadu State Transport Corporation Ltd.,
Kumbakonam Ltd.,
Trichy.

2.The Branch Manager,
Tamil Nadu State Transport Corporation Ltd.,
Kumbakonam Ltd.,
Trichy Mofussil Branch,
Trichy District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to permit the petitioner to join duty as Driver in the 2nd respondent Department by considering his representation dated 05.01.2021.

For Petitioner : Mr.T.Lenin Kumar
For Respondents : Mr.D.Sivaraman
Standing Counsel

O R D E R

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

2.Since the petitioner's request to the respondents to permit the petitioner to joint duty as Driver in the 2nd respondent Department, was not considered, the Writ Petition has been filed. According to the petitioner, he has made a representation in this regard on 05.01.2021, which is still pending.

3. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, 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. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence this Court will be justified in invoking its extraordinary powers under Article 226 of Constitution of India and direct them to consider the same within a stipulated time.



4. In the light of the above observations, it would be appropriate to direct the first respondent herein to consider the petitioner's representation dated 05.01.2021, within a stipulated time and thereby the ends of justice could be secured.

5. Accordingly, there shall be a direction to the first respondent to consider the petitioner's representation dated 05.01.2021, on its own merits and pass appropriate orders in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM

NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The General Manager,
Tamil Nadu State Transport Corporation Ltd.,
Kumbakonam Ltd.,
Trichy.

2.The Branch Manager,
Tamil Nadu State Transport Corporation Ltd.,
Kumbakonam Ltd.,
Trichy Mofussil Branch,
Trichy District.

+1 CC to Mr.D.SIVARAMAN, Advocate (SR-1455[F]
dated 20/01/2021)

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