



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.01.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.953 of 2021

WEB COPY

I.Muruganantham

...Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation,
Bye Pass Road, Madurai.

2.The Senior Deputy Manager,
Human Resource Department,
Bye Pass Road, Madurai.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to sanction the yearly increment for the year 2010 and the selection grade in the cadre of Senior Assistant Manager in 2010 and to rectify the pay anomalies by considering the representation dated 18.03.2020.

For Petitioner : Mr.V.Panneer Selvam

For Respondents : Mr.J.Senthil Kumaraiah
Standing Counsel

O R D E R

By considering the facts and circumstances of this case, notice to the respondent is dispensed with and 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 sanction the yearly increment for the year 2010 and the selection grade in the cadre of Senior Assistant Manager in 2010 and to rectify the pay anomalies, were not considered, the Writ Petition has been filed. According to the petitioner, he has made an representation in this regard on 18.03.2020, which is still pending.

3. It is needless to point out that whenever an 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 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 18.03.2020, 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 18.03.2020, on its own merits and pass appropriate orders in accordance with law, within a period of eight 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. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (T&P)

// 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 Managing Director,
Tamil Nadu State Transport Corporation,
Bye Pass Road, Madurai.

2. The Senior Deputy Manager,
Human Resource Department,
Bye Pass Road, Madurai.

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