



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.03.2021

CORAM:

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

**W.P. (MD) No.6551 of 2021**

WEB COPY

M.Isakkimuthu Raja

...Petitioner

Vs.

The General Manager,  
Tamilnadu State Transport Corporation (Madurai),  
Virudhunagar Zone,  
Virudhunagar.

... Respondent

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to consider the petitioner's case for appointment in any suitable post based on his educational qualification under compassionate ground based on the representations dated 01.11.2019 and 12.02.2020 submitted in person within the time limit that may be stipulated by this Court.

For Petitioner : Mr.G.Thalaimutharasu  
For Respondent : Mr.T.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.Since the petitioner's request to the respondent to give any suitable post based on his educational qualification under compassionate ground, was not considered, the writ petition has been filed. According to the petitioner, he has made representations in this regard on 01.11.2019 and 12.02.2020, 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 respondent herein to consider the petitioner's representations dated 01.11.2019 and 12.02.2020, within a stipulated time and thereby the ends of justice could be secured. It is made clear that this Court has not expressed any of its view with regard to the merits of the claim of the petitioner and that it is open to the concerned respondent to consider the same on its own merits.

5. Accordingly, there shall be a direction to the respondent to consider the petitioner's representations dated 01.11.2019 and 12.02.2020, on its own merits and pass appropriate orders in accordance with law, within a period of three months 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(Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

mm

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

The General Manager,  
Tamilnadu State Transport Corporation (Madurai),  
Virudhunagar Zone,  
Virudhunagar.

+1 CC to M/s.G.THALAIMUTHARASU, Advocate ( SR-13633[F] dated 25/03/2021 )

**W.P. (MD) No.6551 of 2021**  
**24.03.2021**

SMV(CO)  
TR(17.04.2021) 2P 3C