



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.03.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P. (MD) No.5291 of 2021

WEB COPY

P.Jeyachithra

...Petitioner

Vs.

1.The General Manager,
Tamil Nadu State Transport Corporation,
Madurai Region, Dindigul Zone,
Regional Office,
Dindigul Collectorate Office (P.O.),
Dindigul - 4.

2.The Managing Director,
Tamil Nadu State Transport Corporation,
Madurai Region, Corporate Office,
Madurai - 10.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents herein to consider the petitioner's representation, dated 21.12.2020 and direct the respondents to enter the petitioner's 2nd daughter name "Jeyarithika" as the nominee in service register maintained by the 2nd respondent, within a time as stipulated by this Court.

For Petitioner : Mr.Sarvagan Prabhu

For Respondents : Mr.J.Senthil Kumaraiah
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 enter the petitioner's 2nd daughter's name "Jeyarithika" as the nominee in service register maintained by the 2nd respondent, was not considered, the present writ petition has been filed. She has made a representation in this regard to the respondents on 21.12.2020, 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 respondents herein to consider the petitioner's representation dated 21.12.2020, 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 respondents herein to consider the petitioner's representation, dated 21.12.2020, on its own merits and pass appropriate orders in accordance with law, within a period of two 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 (AD-II)

// 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,
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Madurai Region, Dindigul Zone,
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2.The Managing Director,
Tamil Nadu State Transport Corporation,
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Madurai - 10.

+1 CC to M/s.J.SENTHIL KUMARAI AH, Advocate (SR-11099[F] dated
15/03/2021)

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CG (27.04.2021) 3P 4C