



WEB COPY



W.P.No.16349 of 2018

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 08.12.2022

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.16349 of 2018

R.Bala Krishnan

...Petitioner

Vs

1.The Managing Director,
Tamil Nadu State Transport Corporation,
Salem Division,
No.12, Ramakrishna Road,
Salem – 7.

2.The General Manager,
Tamil Nadu State Transport Corporation,
Salem Division,
No.12, Ramakrishna Road,
Salem – 7.

3.The Assistant Engineer,
Chief Incharge,
F.C.Unit, Body Division,
Tamil Nadu State Transport Corporation,
Salem Division,
Rasipuram,
Namakkal District.

4.The Branch Manager,
Rasipuram Branch,
Tamil Nadu State Transport Corporation,
Salem Division,
Rasipuram,
Namakkal District.

...Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to pay the unpaid salary to a sum of Rs.72,219/- along with the expenses of Rs.82,000/- and award compensation for illegal non payment of salary to the petitioner along with accrued interest till the date of realisation.

For Petitioner : Mr.R.Murugabharathi

For Respondents : Mr.R.Babu

ORDER

This writ petition has been filed seeking a direction to the first respondent to pay the unpaid salary to a sum of Rs.72,219/- along with the expenses of Rs.82,000/- and award compensation for illegal non payment of salary to the petitioner along with accrued interest till the date of realisation.

2. The petitioner herein had given a representation to the respondents on 15.02.2018 seeking for unpaid salary. Since the said representation was not considered, the present writ petition has been filed.

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



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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, there shall be a direction to the first respondent herein to consider the petitioner's representation dated 15.02.2018 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. It is made clear that this Court has not expressed any of its views 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. With the above direction, the Writ Petition stands disposed of. No costs.

08.12.2022



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M.S.RAMESH,J.

vga

To

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Salem – 7.
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