



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) Nos.9526 to 9529 of 2022

and W.M.P. (MD) .Nos.6816, 6818, 6819 and 6820 of 2022

WEB COPY

G.Bhaskar .. Petitioner in W.P. (MD) .No.9526 of 2022

P.Babu .. Petitioner in W.P. (MD) .No.9527 of 2022

C.V.Sajitha Kumar .. Petitioner in W.P. (MD) .No.9528 of 2022

V.Sunish .. Petitioner in W.P. (MD) .No.9529 of 2022

Vs.

1.The Managing Director,
Tamil Nadu State Marketing Corporation Limited (TASMAC),
CMDA Tower - II, 4th Floor,
Egmore, Chennai - 600 008.

2.The Senior Regional Manager,
Tamil Nadu State Marketing Corporation Limited (TASMAC),
Plot No.100,
Anna Nagar, Madurai - 20.

3.The District Manager,
Tamil Nadu State Marketing Corporation Limited (TASMAC),
TASMAC IMFS DEPOT,
Bethal Nagar,
Chenbagaramanputhur,
Aralvaimozhi,
Kanniyakumari District.

... Respondents in all writ petitions

COMMON PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st respondent herein to pass appropriate orders to respondents 2 and 3 by considering the representations made by petitioners before him by RPAD dated 29.03.2022 and 13.04.2022, in the light of the Common Order passed in W.P.(MD).Nos.2310 to 2313 of 2022, dated 11.03.2022.

For Petitioner : Mr.B.Brijesh Kishore

For Respondents : Mr.B.Jameel Arasu
Standing Counsel
(In all writ petitions)



C O M M O N O R D E R

By consent of all parties, these writ petitions are taken up for final disposal at the stage of admission itself.

2. The petitioners herein had given representations to the respondents on 29.03.2022 and 13.04.2022 respectively, seeking for cancellation of transfer order dated 24.01.2022 passed by the third respondent in respect of the petitioners herein. Since the said representations were not considered, the present writ petitions have 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 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 petitioners' representations dated 29.03.2022 and 13.04.2022 respectively, on its own merits and pass appropriate orders in accordance with law, within a period of eight **(8)** 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 petitioners and that it is open to the concerned respondent to consider the same on its own merits.

5. With the above direction, these Writ Petitions stand disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2022

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.

<https://hcservices.ecourts.gov.in/hcservices/>



To

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+1 CC to M/s.B.BRIJESH KISHORE, Advocate (SR-24339[F] dated
07/06/2022)

W.P. (MD) Nos.9526 to 9529 of 2022
06.06.2022

MGJ(17.06.2022) 3P 5C