



WP(MD)No.10980 of 2021

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.07.2022**

CORAM:

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

W.P.(MD)No.10980 of 2021

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... Petitioner

/vs./

1.The Managing Director,
Tamil Nadu State Transport Corporation Limited,
Kumbakonam Division,
Kumbakonam – 612 001.

2.The General Manager,
Tamil Nadu State Transport Corporation (Kumbakonam) Limited,
Pudukottai Region,
Pudukottai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the 2nd respondent to grant pending promotions and sanction all increments, reviews, weightage and all monetary benefits kept on hold till date based on the petitioner's representation dated 24.02.2021 within the period that may be stipulated by this Court.

For Petitioner : Mr.N.Kamesh

For Respondents : Mr.K.Jagadees Balan

Standing Counsel



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ORDER

The petitioner herein had given a representation to the respondents on 24.02.2021 seeking for grant of pending promotions and sanction all increments, reviews, weightage and all monetary benefits. Since the said representation was not considered, the present writ petition has been filed.

2.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.

3.In the light of the above observations, there shall be a direction to the second respondent herein to consider the petitioner's representation dated 24.02.2021 on its own merits and pass appropriate orders in accordance with law,



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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 petitioner and that it is open to the concerned respondent to consider the same on its own merits.

4.With the above direction, the Writ Petition stands disposed of. No costs.

28.07.2022

Index : Yes / No

Internet : Yes / No

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M.S.RAMESH, J.

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TO:

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W.P.(MD) No.10980 of 2021

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