



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.06.2022

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.11184 of 2022

K.Suresh Kumar

... Petitioner

Vs.

1.The Managing Director,
TNSTC Tirunelveli Ltd.,
Vannarapettai, Tirunelveli District.

2.The General Manager,
TNSTC, Tirunelveli Division,
Nagercoil Region, Rani Thottam,
Nagercoil.

... Respondents

PRAYER : Writ petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to consider the Medical Board Report, dated 14.02.2018, to allot the alternative work in favour of the petitioner's representation dated 05.05.2022.

For Petitioner : Mr.Arun Jeyatram for Mr.H.Velavadhas
For Respondents : Mr.R.Rajamohan
Standing Counsel

O R D E R

By consent of both the parties, this writ petition is taken up for final disposal.

2. The petitioner herein had given a representation to the respondents on 05.05.2022 seeking for allotment of alternative work in favour of him by considering the Medical Board Report, dated 14.02.2018. 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 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 respondents herein to consider the petitioner's representation dated 05.05.2022 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 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.

Sd/-

Assistant Registrar(CS-I)

// True Copy //

/06/2022

Sub Assistant Registrar(CS)

TM

TO

1.The Managing Director,
TNSTC Tirunelveli Ltd.,
Vannarapettai, Tirunelveli District.

2.The General Manager,
TNSTC, Tirunelveli Division,
Nagercoil Region, Rani Thottam,
Nagercoil.

+1 CC to M/s.R.RAJAMOHAN, Advocate (SR-24822[F] dated 09/06/2022)

W.P. (MD) No.11184 of 2022
09.06.2022

SB(CO)

KB(29.06.2022) 2P 4C