



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.06.2022

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WEB COPY

THE HONOURABLE MR. JUSTICE M. S. RAMESH

W.P. (MD) No.12954 of 2022

M.Krishnasamy

... Petitioner

Vs.

1.The General Manager,
Tamil Nadu State Transport Corporation,
Kumbakonam Division,
Trichy Region,
Trichy District.

2.The Branch Manager,
Tamil Nadu State Transport Corporation,
Thuvarankurichi Branch,
Kumbakonam Division,
Trichy Region,
Trichy District.

... Respondents

PRAYER : Writ petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the 1st respondent to grant the arrears of salary, Diwali bonus for the year 2021 and the second review by considering the petitioner's representation dated 04.05.2022.

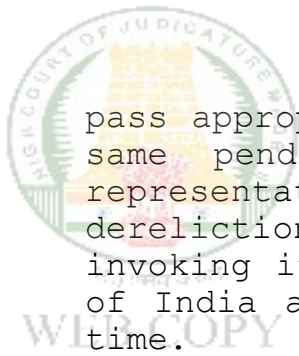
For Petitioner : Mr.P.R.Preithiviraj
For Respondents : Mr.K.Jagadees Balan
Standing Counsel

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 04.05.2022 seeking to grant the arrears of salary, Diwali bonus for the year 2021 and the second review. 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 first respondent herein to consider the petitioner's representation dated 04.05.2022 on its own merits and pass appropriate orders in accordance with law, within a period of twelve (12) 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 (CO)

// True Copy //

/07/2022

Sub Assistant Registrar(CS)

TM

To

1.The General Manager,
Tamil Nadu State Transport Corporation,
Kumbakonam Division,
Trichy Region, Trichy District.

2.The Branch Manager,
Tamil Nadu State Transport Corporation,
Thuvarankurichi Branch,
Kumbakonam Division,
Trichy Region, Trichy District.

+1 CC to M/s.K. JAGADEES BALAN, Advocate (SR-27640[F] dated 23/06/2022)

+1 CC to M/s.P.R.PRITHIVI RAJ, Advocate (SR-28084[F] dated 24/06/2022)

W.P. (MD) No.12954 of 2022

23.06.2022

MGJ(07.07.2022) 2P 5C

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