



WP(MD)No.16720 of 2022

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.16720 of 2022

R.Kamaraj

... Petitioner

/vs./

1.The Government of Tamil Nadu,
Represented by its Secretary,
Transport Department,
Secretariat,
Chennai-600 009.

2.The Managing Director,
Tamil Nadu State Transport Corporation (Kumbakonam) Limited,
Kumbakonam-612 001,
Thanjavur District.

3.The General Manager,
Tamil Nadu State Transport Corporation (Kumbakonam) Limited,
Kumbakonam-612 001,
Thanjavur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second and third respondents to sanction overtime salary of Rs.1,37,280/- for a period from September 2013 to April 2017 to the petitioner along with interest at the rate of 18 percent per annum



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within the time limit that may be fixed by this Court.

For Petitioner : Mr.N.Sudhagar Nagaraj
For R-1 : Mr.R.Ragavendran
Government Advocate
For R-2 & R-3 : Mr.K.Jagadees Balan
Standing Counsel

ORDER

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 second respondent on 04.07.2022 seeking to sanction overtime salary of Rs.1,37,280/- for a period from September 2013 to April 2017 to him along with interest at the rate of 18 percent per annum. 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



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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 04.07.2022 on its own merits and pass appropriate orders in accordance with law, as expeditiously as possible. 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. There shall be no order as to costs.

28.07.2022

Index : Yes / No
Internet : Yes / No
btr

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M.S.RAMESH, J.

btr

Order made in
W.P.(MD)No.16720 of 2022

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