



W.P.(MD).No.18818 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.08.2022

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD).No.18818 of 2022

T.Mayee

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Marketing Corporation (TASMAC),
4th Floor, CMDA Tower-2,
Egmore,
Chennai – 600 008.

2.The Senior Regional Manager,
Tamil Nadu State Marketing Corporation (TASMAC),
No.100, Annanagar,
Madurai – 625 020.

3.The District Manager,
Tamil Nadu State Marketing Corporation (TASMAC),
Madurai (North),
Madurai.

4.The District Manager,
Tamil Nadu State Marketing Corporation (TASMAC),
Madurai (South),
Madurai.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to reinstate the petitioner to the post of salesmen in any one of the TASMAC shop



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under the control of respondents in pursuant to the proceedings passed by the fourth respondent in her proceedings in ந.க.எண்.469/2016/E dated 19.05.2022 with all consequential benefits and continuity of service within the period stipulated by this Court.

For Petitioner : Mr.N.Sathish Babu
For Respondents : Mr.H.Arumugam,
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 respondents 1 to 3 on 13.03.2018 seeking for reinstatement to the post of Salesmen. 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,



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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 13.03.2018, in the light of the recommendation of the fourth respondent, dated 19.05.2022, on its own merits and pass appropriate orders in accordance with law, within a period of six (6) 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. There shall be no order as to costs.

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Index : Yes / No
Internet : Yes/ No
Lm/btr



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To

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M.S.RAMESH, J.

Lm/btr

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