



WP(MD)No.19811 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **26.08.2022**

CORAM:

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

W.P.(MD)No.19811 of 2022

R.Ayyadurai

... Petitioner

/vs./

1.The Managing Director,
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
New Railway Feeder Road,
Kumbakonam.

2.The General Manager,
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Managiri,
Karaikudi,
Sivagangai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondents to confirm the services of the petitioner immediately after 240 days of service from 01.06.2019.

For Petitioner : Mr.H.Elanco

For Respondents : Mr.K.Jagadees Balan

Standing Counsel



WP(MD)No.19811 of 2022

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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 on 01.07.2022 seeking for regularization of his service and annual increment with continuity of service. 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.



WP(MD)No.19811 of 2022

WEB COPY

4. In the light of the above observations, there shall be a direction to the respondents herein, to consider the petitioner's representation dated 01.07.2022, on its own merits and pass appropriate orders in accordance with law, within a period of three (3) months 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.

26.08.2022

Index : Yes / No

Internet : Yes / No

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TO:

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2. The General Manager,
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WP(MD)No.19811 of 2022

M.S.RAMESH, J.

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Order made in
W.P.(MD)No.19811 of 2022

Dated:
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