



WP(MD)No.19912 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.19912 of 2022

T.Annadurai

... Petitioner

/vs./

1.The Tamil Nadu State Transport Corporation (Tirunelveli) Ltd.,
Represented by its Managing Director,
Tirunelveli.

2.The General Manager,
Tamil Nadu State Transport Corporation (Tirunelveli) Ltd.,
Tirunelveli Region,
Tirunelveli.

3.The Branch Manager,
Puliyankudi Town Branch,
The Tamil Nadu State Transport Corporation (Tirunelveli) Ltd.,
Tenkasi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondents to regularize the service of the petitioner in the post of Conductor from the date of completion of 240 days in one calendar year and further directing the respondents to pay the arrears of difference in salary and all other attendant benefits payable to him for the period with effect from the date on which the petitioner was completed 240 days



WP(MD)No.19912 of 2022

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continuous service in one calendar year to till the date of confirmation in service by considering the representation of the petitioner dated 27.07.2022.

For Petitioner : Mr.A.Mohand

For Respondents : Mr.D.Jebaraj

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 on 27.07.2022 seeking for regularization of his 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



WP(MD)No.19912 of 2022

WEB COPY

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 27.07.2022, 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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M.S.RAMESH, J.

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Order made in
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