



WP(MD)No.20350 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **30.08.2022**

CORAM:

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

W.P.(MD)No.20350 of 2022

I.Ayyanar

... Petitioner

/vs./

1.The General Manager,
Tamilnadu State Road Transport Corporation (TNSCTC)
Madurai Limited, Bye Pass Road,
Madurai-625 010.

2.The Regional Manager,
Tamilnadu State Road Transport Corporation (TNSCTC)
Madurai Limited, Virudhunagar Regional Office,
Madurai Main Road, Virudhunagar,
Virudhunagar District.

3.The Branch Manager,
Tamilnadu State Road Transport Corporation (TNSCTC)
Madurai Limited, Srivilliputhur Depot,
Srivilliputhur Taluk, Virudhunagar District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents herein to reinstate petitioner into service in the light of the orders passed by this High Court made in W.P(MD)No.5 of 2015, dated 24.05.2017 and W.P(MD)No.14443 of 2012, dated



WP(MD)No.20350 of 2022

29.04.2019 and by considering petitioner's representation dated 16.02.2022.

For Petitioner : M/s.V.Karuppaiah
for M/s.K.Muthumalai

For Respondents : Mr.S.Sivabalaji
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 16.02.2022 seeking to reinstate him into service in the light of the orders passed by this High Court made in W.P(MD)No.5 of 2015, dated 24.05.2017 and W.P(MD)No.14443 of 2012, dated 29.04.2019. 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



WP(MD)No.20350 of 2022

WEB COPY

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 16.02.2022 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. There shall be no order as to costs.

30.08.2022



WP(MD)No.20350 of 2022

WEB COPY

Index : Yes / No

Internet : Yes / No

btr/cp

To

- 1.The General Manager,
Tamilnadu State Road Transport Corporation (TNSTC)
Madurai Limited, Bye Pass Road,
Madurai-625 010.
- 2.The Regional Manager,
Tamilnadu State Road Transport Corporation (TNSTC)
Madurai Limited, Virudhunagar Regional Office,
Madurai Main Road, Virudhunagar,
Virudhunagar District.
- 3.The Branch Manager,
Tamilnadu State Road Transport Corporation (TNSTC)
Madurai Limited, Srivilliputhur Depot,
Srivilliputhur Taluk, Virudhunagar District.



WEB COPY



WP(MD)No.20350 of 2022

M.S.RAMESH, J.

btr/cp

Order made in
W.P.(MD)No.20350 of 2022

Dated:
30.08.2022