

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.09.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD)No.20581 of 2022

A.Sankaranarayanan

... Petitioner

/vs./

- 1.The Managing Director,
Tamil Nadu State Marketing Corporation Ltd.,
(TASMAC),
CMDA Tower-II, IV Floor,
Gandhi Irwin Bridge Road,
Egmore, Chennai 600 008.
- 2.The Senior Regional Manager,
Tamil Nadu State Marketing Corporation Ltd.,
(TASMAC),
Plot No.100, Anna Nagar,
Madurai 625 020.
- 3.The District Manager,
Tamil Nadu State Marketing Corporation Ltd.,
(TASMAC), Narikuravar Colony,
Thondi Road, Palamalai Nagar,
Soorakulam Village, Sivagangai District. 630 606.

... 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 the petitioner as Supervisor in TASMACH Shop No.7664 at Thirupachethi, based on the petitioner's representation dated 12.03.2022.

For Petitioner : Mr.D.Srinivasaragavan
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 on 18.12.2019 and 12.03.2022 seeking to reinstate him in 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.

4.In the light of the above observations, there shall be a direction to the third respondent herein to consider the petitioner's representation dated 18.02.2019 and 12.03.2022 on its own merits and pass appropriate orders in accordance with law, within a period of four (4) 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. No costs.

01.09.2022

Index : Yes / No

Internet : Yes / No

Rmk

TO:

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M.S.RAMESH, J.

Rmk

Order made in
W.P.(MD)No.20581 of 2022

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01.09.2022