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W.P.No.2865 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.04.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.2865 of 2023

C. Pattusamy

... Petitioner

Vs.

1.The Managing Director,
The Tamil Nadu Civil Supplies Corporation,
Thambuswamy Road,
Kilpauk,
Chennai – 600 010.

2.The Senior Regional Manager,
The Tamil Nadu Civil Supplies Corporation,
Nellikuppam Road,
Cuddalore – 607 001.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to give approval of the list sent by the petitioner to carrying out the loading and unloading activities of the paddy at the TNCSC direct procurement centre, Vakkur run by respondent Corporation based on the representation of the petitioner dated 22.12.2022.



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For Petitioner : Mr.D. Ashok Kumar

For Respondents : Mr.C. Selvaraj,
Additional Government Pleader

ORDER

The petitioner herein had given a representation to the respondents on 22.12.2022, seeking for approval of the list sent by him to carry out the loading and unloading activities of the paddy at the TNCSC direct procurement centre, Vakkur. Since the said representation was not considered, the present Writ Petition has been filed.

2. 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 respondent 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.



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3. In the light of the above observations, there shall be a direction to the respondents, to consider the petitioner's representation dated 22.12.2022, 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.

4. With the above direction, the Writ Petition stands disposed of.

No costs.

17.04.2023

Speaking order/Non-speaking order

Index: Yes/No

Internet: Yes/No

Neutral Citation: Yes/No

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M.S.RAMESH,J.

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To

- 1.The Managing Director,
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Kilpauk,
Chennai – 600 010.
- 2.The Senior Regional Manager,
The Tamil Nadu Civil Supplies Corporation,
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