



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.11.2023

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.27680 of 2023

L.Symon

... Petitioner

Vs.

1. The Government of Tamil Nadu,
Rep. by the Secretary to Government,
Transport Department,
Fort St.George,
Chennai – 600 009.

2. The Depot Manager,
State Express Transport Corporation Limited,
Pallavan Salai,
Chennai – 600 002.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue Writ of Mandamus, directing the second respondent to take action on the petitioner's representation dated 15.07.2022 and dispose of the same within the time stipulated fixed by this Hon'ble Court.

For Petitioner

: Mr. V.Tamilamudhu

For R1

: Mr. V.P.R.Elamparthi,
Additional Government Pleader



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For R2

: Mr.L.S.M.Hasan Fizal,
Standing Counsel
ORDER

With the consent of both the parties, this Writ Petition is taken up for final disposal.

2. The prayer sought for in this Writ Petition is for a direction to the respondents to consider the petitioner's representation dated 15.07.2022.

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 them 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 the 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 respondents herein to consider the petitioner's representation dated



15.07.2022, on its own merits and pass appropriate orders in accordance with law, within a period of three 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.

22.11.2023

skr

Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation : Yes / No

To

1. The Secretary to Government of Tamil Nadu,
Transport Department,
Fort St.George,
Chennai – 600 009.
2. The Depot Manager,
State Express Transport Corporation Limited,
Pallavan Salai,
Chennai – 600 002.



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M.S.RAMESH, J.

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