



W.P.No.11421 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

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B.Chellaiah

... Petitioner

Vs

The General Manager,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
Kancheepuram Region,
Ponnerikarai,
Bangalore Highways,
Kanchipuram – 631 552.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to grant annual increment and review benefits from 1999, when the petitioner got pass in second Language Tamil test conducted by the Board of Secondary Education, Tamil Nadu and consequently revise his pay accordingly and to pay difference in wage to the petitioner.

For Petitioner : Mr.S.T.Varadarajalu

For Respondent : Mr.R.Venkatesa Perumal



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ORDER

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Heard Mr.S.T.Varadarajalu, learned counsel for the petitioner and Mr.R.Venkatesa Perumal, learned Standing Counsel for the respondent.

2.The petitioner herein had given a representation to the respondent on 10.03.2023 for annual increment. 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 him 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



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to the respondent herein to consider the petitioner's representation dated 10.03.2023, on its own merits and pass appropriate orders in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

5.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 respondent to consider the same on its own merits.

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

No costs.

12.06.2023

Index:Yes/No

Speaking order/Non-speaking order

vga

To
The General Manager,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
Kancheepuram Region,
Ponnerikarai,
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Kanchipuram – 631 552.



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M.S.RAMESH,J.

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