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W.P.No.12442 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.12442 of 2023

R.Chinnamuthu

...Petitioner

Vs

The Managing Director,
TASMAC Ltd.,
4th Floor, CMDA Tower-II,
Egmore,
Chennai-600 008.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent to dispose of the representation dated 30.01.2023 submitted seeking to increase in the age of retirement of employees in Tamil Nadu State Marketing Corporation Ltd.

For Petitioner : Mr.B.Jawahar

For Respondents : Mr.K.Sathish Kumar

ORDER

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



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2. The petitioner herein had given a representation to the respondent on 30.01.2023 seeking for increasing the age of retirement of employees in Tamil Nadu State Marketing Corporation Ltd. 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 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.

4. In the light of the above observations, there shall be a direction to the respondent herein to consider the petitioner's representation dated 30.01.2023 on its own merits and pass



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appropriate orders in accordance with law, within a period of four 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. There shall be no order as to costs.

08.06.2023

Index:Yes/No

Order: Speaking/Non-speaking

DP

To

The Managing Director,
TASMAC Ltd.,
4th Floor, CMDA Tower-II,
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M.S.RAMESH,J.

DP

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