



WEB COPY



W.P.No.12587 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.12587 of 2023

H.Prakashraj

... Petitioner

Vs.

1.The Managing Director,
Metropolitan Transport
Corporation, Pallavan House,
Anna Salai, Chennai-6.

2.The Deputy Manager,
Metropolitan Transport
Corporation, Pallavan Salai,
Chennai-6.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to consider the representation dated 24.12.2022 of the petitioner and to pass orders thereon merits and in accordance with law within a time to be stipulated by this Court.

For Petitioner
For Respondents

: Mr.P.Ganesan
: Mr.R.Balaji



W.P.No.12587 of 2023

ORDER

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

2. The petitioner herein had given a representation to the first respondent on 24.12.2022, seeking to appoint him in the respondent Corporation on compassionate grounds. Since the said representation has not yet been considered, the above 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 Constitution of India and direct him to consider the same within a stipulated time.

4. In the light of the above observations, there shall be a direction



W.P.No.12587 of 2023

to the first respondent to consider the petitioner's representation dated 24.12.2022 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. 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 first respondent to consider the same on its own merits.

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

No costs.

09.06.2023

Index: Yes/No

Speaking order/Non-speaking order

Neutral Citation: Yes/No

To

1. The Managing Director, Metropolitan Transport Corporation, Pallavan House, Anna Salai, Chennai-6.

2. The Deputy Manager, Metropolitan Transport Corporation, Pallavan Salai, Chennai-6.

RS/Sni

M.S.RAMESH,J.

RS/Sni



WEB COPY



W.P.No.12587 of 2023

W.P.No.12587 of 2023

09.06.2023