



W.P.No.17069 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.17069 of 2023

Senthilnathan

... Petitioner

Vs

The General Manager,
Tamil Nadu State Transport Corporation (Salem),
Salem Division,
Salem.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents herein to appoint the petitioner as compassionate ground for the suitable post in the respondent Transport Corporation based on the application of the petitioner dated 23.03.2015 within stipulated time may be fixed by this Court.

For Petitioner : Mr.R.Muruga Bharathi

For Respondent : Mr.K.Raja,
Standing Counsel



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ORDER

Heard Mr.R.Muruga Bharathi, learned counsel for the petitioner and Mr.K.Raja, learned Standing Counsel for the respondent.

2.The petitioner herein had given an Application to the respondent on 23.03.2015 for appointment on compassionate ground. Since the said Application was not considered, the present writ petition has been filed.

3.It is needless to point out that whenever a representation/application 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/application 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.



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4.In the light of the above observations, there shall be a direction to the respondent herein to consider the petitioner's Application dated 23.03.2015, 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.

09.06.2023

Index:Yes/No

Speaking order/Non-speaking order

vga

To

The General Manager,

Tamil Nadu State Transport Corporation (Salem),

Salem Division,

Salem.



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M.S.RAMESH,J.

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