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W.P.No.17869 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.17869 of 2023

A.Kanimozhi

... Petitioner

Vs

The Tamil Nadu Civil Supplies Corporation,
Rep. by its Managing Director,
10, Tambusamy Road, Chennai -10.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent to consider the representation, dated 11.04.2023 of the petitioner seeking to review the order of suspension Proc AD7/13163/2022, dated 11.08.2022 and to restore the petitioner to duty without further delay.

For Petitioner : Mr.S.Venkataraman

For Respondent : Mr.C.Selvaraj
Standing counsel



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ORDER

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

2.The Petitioner herein had given a representation to the respondent on 11.04.2023 seeking to review the order of suspension Proc AD7/13163/2022, dated 11.08.2022 and to restore the petitioner to duty. 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 11.04.2023, on its own merits and pass appropriate orders in accordance with law, within a period of four 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.

16.06.2023

Index:Yes/No

Speaking order/Non-speaking order
vga

To

The Managing Director,
Tamil Nadu Civil Supplies Corporation,
10, Tambusamy Road, Chennai -10.



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M.S.RAMESH,J.

Vga

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