



W.P.No.18319 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.18319 of 2023

M.V.Sadasivan

...Petitioner

Vs.

- 1.The Managing Director,
Tamilnadu State Transport
Corporation (Salem Zone),
No.12, Ramakrishna Salai,
Salem - 636 007.
- 2.The General Manager,
Tamilnadu State Transport
Corporation, Salem Division,
No.12, Ramakrishnan Road,
Salem - 7.
- 3.The Branch Manager,
Pallapatti Branch,
Tamilnadu State Transport
Corporation, Pallapatti,
Salem District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to pay the monthly salary for the period of June to August 2020 in the



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Covid-19 period, based on the petitioner's representations dated 28.07.2020, 07.09.2020 and 08.06.2023.

For Petitioner : Mr.R.Muruga Bharathi

For Respondents : Mr.K.Raja,
Standing Counsel

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 had given representations to the first and second respondents on 28.07.2020, 07.09.2020 and 08.06.2023, seeking for payment of monthly salary during the Covid-19 lockdown period between June and August 2020. Since the said representations have not been 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



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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 him to consider the same within a stipulated time.

4. In the light of the above observations, there shall be a direction to the first respondent herein to consider the petitioner's representations dated 28.07.2020, 07.09.2020 and 08.06.2023, 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. 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.

No costs.

22.06.2023

Index: Yes/No

Speaking order/Non-speaking order

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M.S.RAMESH,J.

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To

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