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W.P.No.18519 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.18519 of 2023

S. Arulmozhi

... Petitioner

Vs.

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

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to consider the representation dated 19.04.2023 requesting to review the order of suspension No.AD6/9434/2022(8) dated 18.10.2022, revoke the same and restore the petitioner to duty without further delay.

For Petitioner : Mr.S. Venkataraman

For Respondent : Mr.C. Selvaraj,
Standing Counsel

ORDER

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



W.P.No.18519 of 2023

WEB COPY

2. The petitioner herein has given representation to the respondent on 19.04.2023, requesting to review and revoke the order of suspension. 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 19.04.2023, on its own merits and pass appropriate orders in accordance



W.P.No.18519 of 2023

with law, within a period of four (4) 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 respondent to consider the same on its own merits.

5. With the above direction, the Writ Petition stands disposed of. No costs.

23.06.2023

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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To

The Managing Director,
Tamil Nadu Civil Supplies Corporation,
10, Thambusamy Road, Chennai – 10.



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W.P.No.18519 of 2023

M.S.RAMESH,J.

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W.P.No.18519 of 2023

23.06.2023