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W.P.No.18880 of 2023

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.18880 of 2023

E.Selvan

...Petitioner

-Vs-

1. The Senior Regional Manager,
TASMAC, Coimbatore.
2. The District Manager/Sub-Collector,
TASMAC Limited,
Erode District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 1st respondent to implement the order of the 2nd respondent in Ref.Na.Ka.No.1900/2022/R1 dated 19.12.2022.

For Petitioner : Mr.B.Gopalakrishnan

For Respondents : Mr.M.Sekar
Standing Counsel

ORDER

Heard Mr.B.Gopalakrishnan, learned counsel for the petitioner and Mr.M.Sekar, learned Standing Counsel for the respondents.



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2. The petitioner herein has given several representations to the respondents and the latest representation was on 05.03.2023 to the second respondent, seeking to transfer the petitioner to Shop No.3415, Maikelpalayam, Anthiyur Taluk, Erode District. Since the said representations were 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 first respondent to consider the representation of the petitioner dated 05.03.2023, seeking to transfer him to Shop No. 3415, Maikelpalayam, Anthiyur Taluk, Erode



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District 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 respondents to consider the same on its own merits.

5. With the above direction, the writ petition is disposed of. No costs.

20.11.2023

Index:Yes/No

Internet:Yes/No

sr

To

1. The Senior Regional Manager,
TASMAC, Coimbatore.
2. The District Manager/Sub-Collector,
TASMAC Limited,
Erode District



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M.S.RAMESH,J.

sr

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