



WEB COPY



W.P.No.19140 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.19140 of 2023

V.G. Manikandan

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by its Secretary,
Transport Department,
Fort St. George, Chennai – 600 009.

2.The Managing Director,
Tamil Nadu Government Transport,
Corporation Ltd.,
Division – I, Villupuram.

3.The General Manager,
Tamil Nadu Government Transport
Corporation Ltd.,
Division – I, Villupuram.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to consider and pass orders on the representation dated 03.12.2022 seeking inclusion and calculation of the period from 04.06.2001 so as to be brought under GPF Scheme for the purpose of grant of pension and pensionary benefits arising thereto.



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For Petitioner : Mr.L. Chandrakumar

For Respondents : Mr.P. Gurunathan,
Additional Government Pleader

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 has given representation to the respondents on 03.12.2022, seeking to regularize his services from 19.01.1998 and to extend all other consequential monetary and service benefits. 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 respondents 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



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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 respondents herein, to consider the petitioner's representation dated 03.12.2022, on its own merits and pass appropriate orders in accordance with law, within a period of three (3) months 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.

28.06.2023

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

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M.S.RAMESH,J.

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To

- 1.The Secretary to Government of Tamil Nadu,
Transport Department,
Fort St. George, Chennai – 600 009.
- 2.The Managing Director,
Tamil Nadu Government Transport,
Corporation Ltd.,
Division – I, Villupuram.
- 3.The General Manager,
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