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W.P.No.31536 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.31536 of 2023

S.Gopal

...Petitioner

-Vs-

Tamil Nadu State Transport Corporation
(Villupuram) Limited,
Rep. by its General Manager,
Tirupathur, Thirupathur District.

...Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus to direct the respondent to consider the representation of the petitioner dated 24.01.2016 within a time frame as may be fixed by this Court.

For Petitioner : Mr.R.Lakshmi Narayanan

For Respondent : Mr.M.Murari Vinodh
Standing Counsel

ORDER

Heard Mr.R.Lakshmi Narayanan, learned counsel for the petitioner and Mr.M.Murari Vinodh, learned Standing Counsel for the respondent. With the



consent of both sides, the main writ petition has been taken up for final disposal.

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2. The petitioner has given representation on 24.01.2016 to the respondent seeking to cancel or set aside the order of punishment imposed on him. Since the representation has not been considered, he has filed the present writ petition.

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 to consider the representation of the petitioner dated 24.01.2016 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



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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.

02.11.2023

Index: Yes/No
Internet: Yes/No
sr

To

The General Manager,
Tamil Nadu State Transport Corporation
(Villupuram) Limited,
Tirupathur, Thirupathur District.



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M.S.RAMESH,J.

SR

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