



WEB COPY



W.P.No.29755 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.10.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.29755 of 2023

V.Sadhasivam

...Petitioner

Vs

1.The Secretary to Government of Tamil Nadu,
Tamil Nadu State Transport Corporation,
Fort St. George, Chennai - 600 009.

2.The Managing Director,
Tamil Nadu State Transport
Corporation (Coimbatore) Ltd.,
No.37, Mettupalayam Road,
Coimbatore.

3.The General Manager,
Tamil Nadu State Transport
Corporation (Coimbatore) Ltd.,
Erode Region, Chennimalai Road,
Erode - 638 001.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 2nd and 3rd respondents to fix appropriate pay scale and pay the arrears of wages based on the petitioner's representation dated 09.09.2023.



W.P.No.29755 of 2023

For Petitioner : Mr.M.Selvam
For R1 : Mr.P.Ganesan,
Government Advocate
For R2 : Mr.A.Vinothraj,
Standing Counsel
For R3 : Mr.M.Murali Vinodh,
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 herein had given a representation to the second and third respondents on 09.09.2023, seeking for fixation of appropriate pay scale and grant him the arrears of wages. Since the 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 on him to consider the same on its own merits and pass appropriate orders in one



W.P.No.29755 of 2023

WEB COPY

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 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 second and third respondents herein to consider the petitioner's representation dated 09.09.2023 pass appropriate orders in accordance 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 made by the petitioner and that it is open to the concerned respondents to consider the same on its own merits.

5. With the above direction, the Writ Petition stands disposed of.

No costs.

13.10.2023



W.P.No.29755 of 2023

Index: Yes/No

WEB COPY hvk



WEB COPY



W.P.No.29755 of 2023

M.S.RAMESH,J.

hvk

To

- 1.The Secretary to Government of Tamil Nadu,
Tamil Nadu State Transport Corporation,
Fort St. George, Chennai - 600 009.
- 2.The Managing Director,
Tamil Nadu State Transport
Corporation (Coimbatore) Ltd.,
No.37, Mettupalayam Road,
Coimbatore.
- 3.The General Manager,
Tamil Nadu State Transport
Corporation (Coimbatore) Ltd.,
Erode Region, Chennimalai Road,
Erode - 638 001.

W.P.No.29755 of 2023

13.10.2023