



W.P.No.30304 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.10.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.30304 of 2023

S.Masilamani

...Petitioner

Vs

Managing Director,
Metropolitan Transport Corporation (Chennai) Limited,
Head Office, Pallavan House,
Chennai – 600 002.

...Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to consider petitioner's representation dated 20.05.2022 and grant a 3rd review benefit to petitioner with effect from February 2019 to till then.

For Petitioner : Mr.T.Arul

For Respondent : Mr.A.Vinothraj,
Standing Counsel (MTC)



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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 a representation to the respondent on 20.05.2022, requesting to conduct a detailed inquiry and to grant him 3rd review benefit. 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 on them 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 the Constitution of India and direct them to consider the same within a stipulated time.



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4. In the light of the above observations, there shall be a direction to the respondent herein to consider the petitioner's representation dated 20.05.2022, 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 respondent to consider the same on its own merits.

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

No costs.

20.10.2023

Index: Yes/No

Speaking order/Non-speaking order

hvk

To

Managing Director,
Metropolitan Transport Corporation (Chennai) Limited,
Head Office, Pallavan House,
Chennai – 600 002.



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M.S.RAMESH,J.

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