



W.P.No.31368 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.31368 of 2023

A. Mukeshkumar

... Petitioner

Vs.

1.The General Manager,
Tamil Nadu State Transport Corporation Ltd.,
Thiruvannamalai.

2.The Manager,
Tamil Nadu State Transport Corporation Ltd.,
Thiruvannamalai.

... 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 provide the petitioner appointment on compassionate ground in commensurate with his education qualification in view of the application dated 03.06.2022 given by the petitioner mother.

For Petitioner : Mr.P. Tamilavel

For Respondents : Mrs.Pavithra,
Standing Counsel



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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's mother has given an application to the first respondent on 03.06.2022, seeking for compassionate appointment to the petitioner. Since the said application has not been considered till date, the present Writ Petition has been filed.

3. It is needless to point out that whenever an application of this nature is made to a Statutory Authority, there is a duty cast upon 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 application 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.



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4. In the light of the above observations, there shall be a direction to the first respondent herein, to consider the application given by the petitioner's mother dated 03.06.2022, 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.

02.11.2023

Index: Yes/No

Speaking order/Non-speaking order

Internet: Yes/No

Neutral Citation: Yes/No

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M.S.RAMESH,J.

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To

- 1.The General Manager,
Tamil Nadu State Transport Corporation Ltd.,
Thiruvannamalai.
- 2.The Manager,
Tamil Nadu State Transport Corporation Ltd.,
Thiruvannamalai.

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