



WEB COPY



W.P.No.31397 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.31397 of 2023

S. Balamurugan

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation (TNSTC),
Villupuram,
Villupuram District.

2.The General Manager,
Tamil Nadu State Transport Corporation (TNSTC),
Cuddalore Region,
Cuddalore District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to regularize the petitioner's service from the date of his appointment in Tamil Nadu State Transport Corporation and to direct the respondents to pass an order based on in view of the representation dated 19.08.2023 to regularize the petitioner's service, from the date of his appointment in Tamil Nadu State Transport Corporation.



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For Petitioner : Mr.R. Naresh Kumar

For Respondents : Mrs.Pavithra,
Standing Counsel

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 respondents on 19.08.2023, seeking for regularization of his service from the date of his appointment in Tamil Nadu State Transport Corporation. Since the said representation has not been considered till date, 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 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



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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 19.08.2023, on their own merits and pass appropriate orders in accordance with law, within a period of twelve (12) 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 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.

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Index: Yes/No

Speaking order/Non-speaking order

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M.S.RAMESH,J.

Sni

To

- 1.The Managing Director,
Tamil Nadu State Transport Corporation (TNSTC),
Villupuram,
Villupuram District.
- 2.The General Manager,
Tamil Nadu State Transport Corporation (TNSTC),
Cuddalore Region,
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