



WEB COPY



W.P.No.32724 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.11.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.32724 of 2023
&
W.M.P.No.32333 of 2023

Murthy

Vs

...Petitioner

1. The General Manager
Tamil Nadu State Transport Corporation
Villupuram Ltd.,
Villupuram – 605 602

2. The Managing Director
Tamil Nadu State Transport Corporation
Villupuram Region
Villupuram – 605 602

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the first respondent to assign an alternate work to the petitioner without any break and also disburse the salary from 01.04.2022 to 01.11.2023 (one year and seven months) along with 24% interest.

For Petitioner : Ms.N.Beulah John Selvaraj



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For Respondents : Ms.S.Pavithra
Standing Counsel for Respondents 1 & 2

ORDER

With the consent of both the parties, this Writ Petition is taken up for final disposal at the admission stage itself.

2. Heard Ms.N.Beulah John Selvaraj, learned counsel for the petitioner and Ms.S.Pavithra, learned Standing Counsel for Respondents 1 and 2.

3. The petitioner herein had given representation to the first respondent on 14.09.2023 requesting the first respondent to assign alternate work to the petitioner without any break and also disburse salary to the petitioner from 01.04.2022 to 01.11.2023 with 24% interest. Since the said representation was not considered by the first respondent, the present writ petition has been filed.

4. 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



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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 the India and direct them to consider the same within a stipulated time.

5. In the light of the above observations, there shall be a direction to the first respondent herein to consider the petitioner's representations dated 14.09.2023, 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 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 respondent to consider the same on its own merits.



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

No costs. Consequently, the connected miscellaneous petition is closed.

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Index:Yes/No

Speaking order/Non-speaking order

gpa

To

1.The General Manager
Tamil Nadu State Transport Corporation
Villupuram Ltd.,
Villupuram – 605 602

2. The Managing Director
Tamil Nadu State Transport Corporation
Villupuram Region
Villupuram – 605 602



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M.S.RAMESH,J.

gpa

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