



WEB COPY



W.P.No.35051 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.12.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.35051 of 2023
and W.M.P.Nos.35011 & 35012 of 2023

L. Shanmugam

... Petitioner

Vs.

1.The General Manager,
Tamil Nadu State Transport Corporation,
Dharmapuri Zone,
Dharmapuri – 636 701.

2.The Managing Director,
Tamil Nadu State Transport Corporation,
No.12, Ramakrishna Road,
Salem – 7.

... 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 assign an alternative work to the petitioner's without any break and also disburse the salary from 01.02.2023 to 12.12.2023 (9 months and 20 days), along with 24% interest.

For Petitioner : Mr.N. Beulah John Selvaraj



WEB COPY



W.P.No.35051 of 2023

For Respondents : Mr.K. Raja,
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 first respondent on 23.11.2023, seeking to assign an alternative work to him without any break and also disburse the salary from 01.02.2023 to 12.12.2023 (9 months and 20 days), along with 24% interest. 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,



W.P.No.35051 of 2023

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 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 first respondent herein, to consider the petitioner's representation dated 23.11.2023, on its own merits and 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 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. Connected miscellaneous petitions are closed.

22.12.2023

Index:Yes/No
Speaking order/Non-speaking order



WEB COO*Sni*



W.P.No.35051 of 2023



WEB COPY



W.P.No.35051 of 2023

M.S.RAMESH,J.

Sni

To

- 1.The General Manager,
Tamil Nadu State Transport Corporation,
Dharmapuri Zone,
Dharmapuri – 636 701.
- 2.The Managing Director,
Tamil Nadu State Transport Corporation,
No.12, Ramakrishna Road,
Salem – 7.

W.P.No.35051 of 2023

22.12.2023