



WEB COPY



W.P.No.30206 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.02.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.30206 of 2018

S.Sakunthala

...Petitioner

-Vs-

1.The Managing Director,
Tamil Nadu Transport Corporation,
Salem.

2.The General Manager,
Tamil Nadu Transport Corporation,
Dharmapuri District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to appoint the petitioner in any of the post in the respondent department according to her educational qualification under compassionate appointment by considering her representations dated 18.11.2013 and 26.06.2015, reminder dated 02.07.2018.

For Petitioner : Mr.B.Sundarapandiyam

For Respondents : Mr.R.Babu



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ORDER

The petitioner had given representations to the respondents on 18.11.2013, 26.06.2015, 10.11.2016 and 02.07.2018, seeking for a direction to appoint her in any of the post on compassionate grounds. Since the said representations were not considered, the present writ petition has been filed.

2. It is needless to point out that whenever representations of this nature are made to a Statutory Authority, there is a duty cast upon the respondents 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 Constitution of India and direct them to consider the same within a stipulated time.

3. In the light of the above observations, there shall be a direction to the second respondent herein to consider the petitioner's representation dated 02.07.2018 on its own merits and pass appropriate orders in accordance with law, within a period of eight (8) weeks from the date of receipt of a copy of this order.



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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.

4. With the above direction, the Writ Petition stands disposed of. No costs.

02.02.2023

Index: Yes/No
Internet: Yes/No
hvk

To

1. The Managing Director,
Tamil Nadu Transport Corporation,
Salem.

2. The General Manager,
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M.S.RAMESH,J.

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