



W.P.(MD).No.85 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.01.2024

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.85 of 2024

Ansi Libi

... Petitioner

Vs

1. The Managing Director,
Tamil Nadu State Transport Corporation (Tirunelveli) Ltd.,
Tirunelveli District.
2. The General Manager,
Tamil Nadu State Transport Corporation (Tirunelveli) Ltd.,
Nagercoil Region, Kanyakumari District.
3. The Branch Manager,
Tamil Nadu State Transport Corporation (Tirunelveli) Ltd.,
Raani Thottam – II Branch,
Nagercoil Region,
Kanyakumari District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to provide the petitioner with an employment on compassionate ground in the 1st respondent Transport Corporation by considering the petitioner representation, dated 09.12.2023 within a time frame that may be fixed by this Court.



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For Petitioner : Mr. Aayiramk Selvakumar
For Respondents : Mr.D.Jebaraj
Standing Counsel

ORDER

The present writ petition has been filed seeking a direction to the respondents to provide the petitioner with an employment on compassionate ground in the 1st respondent Transport Corporation by considering the petitioner representation, dated 09.12.2023 within a time frame fixed by this Court.

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

3.Heard, the learned counsel appearing for the petitioner and the learned Standing Counsel appearing for the respondents. Perused the materials on record.

4.The petitioner's father one Kanagaraj was employed as a Conductor in the respondent Corporation from the year 1985. While in service,



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he passed away on 17.02.2014. He was survived by his son (petitioner), wife and daughter. The petitioner's mother on 11.06.2014 and 22.09.2016 gave two representations to the respondents seeking appointment on compassionate ground for the petitioner. Lastly on 09.12.2023 another representation was also preferred by the petitioner seeking appointment on compassionate ground. However, the same were not considered by the respondents. Hence, this petition came to be filed.

5. 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 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.

6. In view of the above, without going into the merits of this case, this Court hereby direct the respondents to consider the representation of the



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petitioner, dated 09.12.2023 and pass appropriate orders within a period of twelve (12) weeks, from the date of receipt of a copy of this order, in accordance with law.

7. Accordingly, this writ petition stands disposed of. There shall be no order as to costs.

04.01.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
PNM

To

1. The Managing Director,
Tamil Nadu State Transport Corporation (Tirunelveli) Ltd.,
Tirunelveli District.
2. The General Manager,
Tamil Nadu State Transport Corporation (Tirunelveli) Ltd.,
Nagercoil Region, Kanyakumari District.
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L.VICTORIA GOWRI, J.

PNM

**ORDER IN
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