



W.P.(MD).No.507 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.01.2024

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.507 of 2024

Gnanadhas

... Petitioner

Vs

1. The Managing Director,
Tamil Nadu State Transport Corporation (Tirunelveli) Limited,
KTC Nagar, Tirunelveli,
Tirunelveli District.

2. The General Manager,
Tamil Nadu State Transport Corporation Limited,
Nagercoil Region, Ranithottam,
Nesamani Nager, 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 1st respondent to dispose the petitioner's appeal petition, dated 05.10.2015 within the time frame as stipulated by this Court.

For Petitioner : Mr. B.Micheal Sebastin

For Respondents : Mr.K.Ramaiah
Standing Counsel



W.P.(MD).No.507 of 2024

WEB COPY

ORDER

The present writ petition has been filed seeking direction to the first respondent to dispose of the petitioner's appeal petition, dated 05.10.2015 within the time frame as stipulated 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.(i).The petitioner joined as a Conductor in the respondent Corporation on 01.10.1997 and retired from service on attaining the age of superannuation on 28.02.2021. While he was working as a Conductor on 28.08.2012, the petitioner was charged with less for the luggage, for which, on 21.08.2015 the second respondent has sought for explanation from the petitioner. The petitioner had submitted all his explanations with the relevant documents. However, on 19.09.2015 the second respondent passed an order of



W.P.(MD).No.507 of 2024

punishment of stoppage of increment for a period of three years with cumulative effect.

(ii).Against which, the petitioner has preferred an appeal before the first respondent on 05.10.2015 and the same is pending. The petitioner has made several representations to the first respondent, last of such representation was made on 11.08.2022. However, the same was not disposed of. 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. Without going into the merits of this case, this Court hereby direct the first respondent to consider the representation of the petitioner, dated



W.P.(MD).No.507 of 2024

11.08.2022 and dispose of the appeal filed by the petitioner on 05.10.2015, within a period of eight (8) weeks, from the date of receipt of a copy of this order.

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

10.01.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
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W.P.(MD).No.507 of 2024

L.VICTORIA GOWRI, J.

PNM

**ORDER IN
W.P.(MD).No.507 of 2024**

10.01.2024