



W.P.(MD).No.3574 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 19.02.2024

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.3574 of 2024

S.Maheshwaran

...Petitioner

Vs

**1.The Managing Director,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Kumbakonam.**

**2.The General Manager,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Pudukkottai Region,
Pudukkottai.**

...Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to take necessary action on the basis of petitioner's representation, dated 09.10.2023 with regard to give promotion and other benefits as per the standing orders of the Transport Corporation within a time frame fixed by this Court.

For Petitioner : Mr.D.Anbarasu

**For Respondents :Mr.K.Ramaiah
Standing Counsel**



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ORDER

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The present writ petition has been filed seeking direction to the respondents to take necessary action on the basis of petitioner's representation, dated 09.10.2023 with regard to give promotion and other benefits as per the standing orders of the Transport Corporation 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. The petitioner is working as an Inspector of Ticket Checking at Trichy Branch of the respondent Corporation. He joined in the Tamil Nadu State Transport Corporation, Kumbakonam Limited as a Conductor on 13.11.1995. Thereafter, he was promoted as Cheking Inspector on 26.01.2016. After getting promotion as Checking Inspector, in another 3 years, one should be promoted as Traffic Inspector and then Traffic Manager as per the Standing Orders of Transport Corporation. However, the said exercise was not followed in the case of the petitioner. Hence, the petitioner approached the respondents in person and also made a representation, dated 01.07.2022 seeking to grant him promotion as Traffic Inspector and then as



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Traffic Manager. The same was not considered. Hence, a detailed representation was made by the petitioner on 09.10.2023 to the respondents in this regard. The same was also not considered. Hence, this writ petition came to be 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 the respondent 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 made by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking the extraordinary powers under Article 226 of the Constitution of India.

5. Without going into the merits of the case, this Court hereby directs the respondents to consider the representation of the petitioner, dated 09.10.2023 and pass appropriate orders in accordance with law within a period of twelve (12) weeks from the date of receipt of copy of this order.



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6. With the above said observations, this Writ Petition stands disposed of. No costs.

19.02.2024.

Internet : Yes

Index : Yes/No

NCC : Yes/No

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To

1.The Managing Director,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Kumbakonam.

2.The General Manager,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Pudukkottai Region,
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L.VICTORIA GOWRI, J.

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