



W.P.(MD).No.7941 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.03.2024

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.7941 of 2024

M.Murugan

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation,
The Managing Director,
Madurai.Thilikottam,
V.M.Chatram, Maharajapuram Post,
Tirunelveli-11.

2.The General Manager,
Tamil Nadu State Transport Corporation,
Nagercoil Mandalam,
Ranithottam, Nagercoil-01.

... 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 re-fix the salary as per G.O.Ms.No. 234 Finance (PC) Dept dated 01.06.09 based on the representation made by the petitioner, dated 22.03.2023 and Dictum of law for Equal pay for Equal Work.

For Petitioner : Mr.P.Thirumahilmaran



W.P.(MD).No.7941 of 2024

For Respondents : Mr.K.Ramaiah
Standing Counsel

ORDER

The present writ petition has been filed seeking direction to the respondents to re-fix the salary as per G.O.Ms.No. 234 Finance (PC) Dept dated 01.06.09 based on the representation made by the petitioner, dated 22.03.2023 and Dictum of law for Equal pay for Equal Work.

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

3. The petitioner was appointed as a Conductor on 01.11.1996 by the respondent Corporation and he was confirmed with the said post by the order, dated 24.08.1999. Thereafter, on attaining the age of superannuation, he retired from service on 31.05.2023. Before the retirement, the petitioner made a representation on 22.03.2023 seeking to re-fix his salary as per G.O.Ms.No.234 Finance (PC) Department, dated 01.06.2009. Since the same was not considered, this writ petition came to be filed.



W.P.(MD).No.7941 of 2024

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 this case, this Court the respondents to consider the representation of the petitioner, dated 22.03.2023 and pass appropriate orders in accordance with law within a period of six (6) weeks from the date of receipt of copy of this order.

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

28.03.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
gbg



WEB COPY



W.P.(MD).No.7941 of 2024

L.VICTORIA GOWRI, J.

gbg

To

- 1.The Managing Director,
Tamil Nadu State Transport Corporation,
The Managing Director,
Madurai.Thilikottam,
V.M.Chatram, Maharajapuram Post,
Tirunelveli-11.
- 2.The General Manager,
Tamil Nadu State Transport Corporation,
Nagercoil Mandalam,
Ranithottam, Nagercoil-01.

W.P.(MD).No.7941 of 2024

28.03.2024