



WP(MD) No.14635 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **04.07.2024**

CORAM:

**THE HONOURABLE MS.JUSTICE R.N.MANJULA**

W.P.(MD) No.14635 of 2024

and

W.M.P.(MD) No.12838 of 2024

J.Benjamin

... Petitioner

Vs.

1.The Managing Director,  
Tamil Nadu State Transport Corporation Ltd.,  
By Pass Road, Madurai – 625 010.

2.The General Manager,  
Tamil Nadu State Transport Corporation Ltd.,  
Dindigul Region, (Madurai Zone),  
Dindigul.

3.The Assistant Manager (operation),  
Tamil Nadu State Transport Corporation Ltd.,  
Dindigul Region, (Madurai Zone),  
Dindigul.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondents to pay the full salary and other monetary benefits to the petitioner based on the petitioner's representation dated on 22.04.2024.



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For Petitioner : Mr.S.Karthik  
For Respondents : Mr.S.C.Herold Singh  
Standing Counsel

### **ORDER**

The petitioner has filed this Writ Petition seeking for a direction to the respondents to pay the full salary and other monetary benefits to the petitioner based on the petitioner's representation dated on 22.04.2024.

2. Heard Mr.S.Karthik, learned counsel for the petitioner, Mr.S.C.Herold Singh, learned Standing Counsel for the respondents.

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

4. The petitioner was appointed as Temporary Driver in the Metropolitan Transport Corporation (Chennai) Ltd., Chennai, and thereafter he was appointed as Driver permanently. He was issued with a charge memo and placed under suspension on 29.09.2023 on the



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allegation that he has acted as an agent violating the standing orders of the TNSSTC Corporation. Since then, the respondents have not paid the salary and a representation has also been filed in this regard. Hence, the petitioner has filed this writ petition.

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. The failure on the part of the authority had prompted the petitioner to file this petition for seeking relief through issuance of Writ of Mandamus. As the petitioner has made out a case for invoking the extraordinary powers of this Court under Article 226 of the Constitution of India, the respondents are required to be given with a direction to consider the representation of the petitioner within a specified time frame.

6. On perusal of the materials available on record, it is seen that the order of suspension has not been revised sofar. In view of the



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prolonged suspension, the respondents are directed to consider the petitioner's request / representation dated 22.04.2024 on its own merits and pass appropriate orders in accordance with law, within a period of three weeks from the date of receipt of a copy of this order. Incase the respondents prefer to continue the suspension, the respondents are directed to pass order enhancing the subsistence allowance to the petitioner, within a period of three weeks from the date of receipt of a copy of this order

8. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is also closed.

**04.07.2024**

Index : Yes / No  
Internet : Yes / No  
NCC : Yes / No  
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**R.N.MANJULA, J.**

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Order made in  
**W.P.(MD)No.14635 of 2024**

**04.07.2024**