



WP(MD) No.29839 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **18.07.2024**

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD) No.29839 of 2023

P.Gopinath

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation Ltd.,
Head Office, Madurai Bye-Pass Road,
Madurai District.

2.The General Manager,
Tamil Nadu State Transport Corporation Ltd.,
Virudhunagar Region,
Virudhunagar District.

3.The Assistant Manager (Legal),
Tamil Nadu State Transport Corporation Ltd.,
Virudhunagar Region,
Virudhunagar District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to revise and re-fix the petitioner's scale of pay on completion of punishment of reduction of basic pay one stage issued by the 2nd



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respondent by his proceedings dated 18.09.2015 and consequential to direct the respondents to pay the arrears of Salary, Annual Increments and other monetary benefits by considering the petitioner's representation dated 14.11.2023 within the period that may be stipulated by this Court.

For Petitioner : Mr.V.Karthikraja
for M/s.Ajmal Associates
For Respondents : Mr.K.Ramaiah
Standing Counsel

ORDER

The petitioner has filed this Writ Petition seeking for a Writ of Mandamus directing the respondents to revise and re-fix the petitioner's scale of pay on completion of punishment of reduction of basic pay one stage issued by the 2nd respondent by his proceedings dated 18.09.2015 and also to pay the arrears of Salary, Annual Increments and other monetary benefits by considering the petitioner's representation dated 14.11.2023 within the period that may be stipulated by this Court.



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2. Heard Mr.V.Karthikraja, learned counsel for the petitioner and Mr.K.Ramaiah, learned Standing Counsel for the respondents.

3. The petitioner herein had given a request / representation to the respondents on 14.11.2023 with regard to the aforesaid relief. Since the said representation was not considered by the respondents so far, the present writ petition has been 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 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.



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5. In the light of the above observations, there shall be a direction to the respondents to consider the petitioner's request / representation dated 14.11.2023 on its own merits and pass appropriate orders in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. It is made clear that this Court has not gone into the merits of the claim of the petitioner and it is open to the respondents to consider the same on its own merits.

6. With the above direction, the Writ Petition stands disposed of.

No costs.

18.07.2024

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.29839 of 2023

18.07.2024