



W.P.(MD)No.29988 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.07.2024

CORAM

THE HONOURABLE MS JUSTICE R.N.MANJULA

W.P.(MD)No.29988 of 2023

N.Selvanayagam

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation,
(Kumbakonam Limited),
No.27, New Railway Junction Road,
Kumbakonam Region,
Kumabakonam,
Thanjavur District.

2.The General Manager,
Tamil Nadu State Transport Corporation,
(Kumbakonam Limited),
Pudukottai District,
Thirumayam Road,
Pudukottai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to take necessary action regard to the petitioner's representation dated 14.10.2023 by following the principles of natural justice within the time stipulated by this Court.



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For Petitioner : Mr.S.Ayyanar Prem Kumar

For Respondents : Mr.K.Ramiah,
Standing Counsel

ORDER

Heard Mr.S.Ayyanar Prem Kumar, learned counsel appearing for the petitioner and Mr.K.Ramiah, learned Standing Counsel appearing for the respondents.

2. This Writ Petition has been filed seeking a direction to the respondents to take necessary action with regard to the petitioner's representation dated 14.10.2023 by following the principles of natural justice within the time stipulated by this Court.

3. The petitioner was joined as a Conductor in the respondent Corporation on 30.08.1986 and his service was regularized on 18.01.1998 and thereafter, he was promoted as a Senior Conductor. In the year 2002, while he was in service, the Driver of the bus put a sudden break and as a result of which, he fell down and sustained injuries in his shoulder as well as his neck. Due to which, he was unable to attend the work. Thereafter, he went for work in the year 2006 and the respondent Corporation informed him that he was dismissed



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from service. The petitioner made a representation to the respondents on 14.10.2023 seeking monetary benefits for his service period. Since his representation has not been considered by the respondents, the petitioner has filed this Writ Petition.

4. It is needless to point out that whenever a representation of this nature is made to a Government Authority, there is a duty cast upon the respondents to consider the same on its own merits and pass appropriate orders, 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 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.

5. In the light of the above observations, this Writ Petition is **disposed of** with a direction to the respondents herein to consider the petitioner's representation dated 14.10.2023 and pass appropriate orders on its own merits and 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



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the merits of the claim of the petitioner and it is open to the respondents to

consider the same on its own merits. No costs.

09.07.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
TSG



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To

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R.N.MANJULA, J.

TSG

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