



W.P.(MD).No.15831 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 17.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.15831 of 2025

and

W.P.(MD)No.11982 of 2025

T.Senthilkumar

... Petitioner

-vs-

The General Manager,
Tamil Nadu State Transport Corporation (Mdu) Ltd,
Madurai Region,
Bye Pass Road,
Madurai 625 016.

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondent to appoint the petitioner in a specific post to be identified either by the respondent on its own or by the light work committee by an order in writing and allow the petitioner to work with the respondent corporation till the petitioner attained superannuation, on the basis of the petitioner's representation dated 28.01.2025 within a time frame to be stipulated by this Court.

For Petitioner : Mr.R.Aravindan

For Respondents : Mr.S.Ramachandra Pradeep



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ORDER

This writ petition has been filed seeking a direction to the respondent to appoint the petitioner in a specific post either by the respondent on his own or by the light work committee by an order in writing and allow the petitioner to work with the respondent corporation till the petitioner attained superannuation, on the basis of the petitioner's representation dated 28.01.2025 within a time frame to be stipulated by this Court.

2. By consent of both parties, this writ petition is disposed at the stage of admission itself.

3. The petitioner was appointed as a Driver by the respondent Corporation in the year 1997 and he got probation in the year 1999. While this being so, the petitioner was suffering from “Trauma Ligamental instability with osteoarthritis of radio capitulars and gleno humeral joints” and hence, he was not in a position to do any work with the aid of his left hand and he was under medical treatment. Since he was not able to work, the petitioner made a representation dated 28.01.2025 to the respondents seeking



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for an alternative employment. Since the said representation was not considered, the petitioner has filed the present Writ Petition.

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 him 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 by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.

5. In the light of the above observations, there shall be a direction to the respondent to consider the petitioner's representation dated 28.01.2025, on its own merits and pass appropriate orders in accordance with law, within a period of two months from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the respondents to consider the same on its own merits.



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6. With the above observations and directions, the Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

17.06.2025

NCC : Yes/No
Index : Yes / No
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VIVEK KUMAR SINGH, J.

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Order made in
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