



W.P.(MD)No.17984 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.17984 of 2025

M.Karuppusamy

... Petitioner

-VS-

1.Tamilnadu Ex-Servicemen's Corporation Limited (TEXCO),
Represented by its General Manager,
Block No.77, No.18/13, 7th Street,
Nandanam Extension, Nandanam,
Chennai - 600 035.

2.The Assistant Manager,
TEXCO Branch Office,
1/511-7, Nallamuthu Complex,
II Floor, Bharathi Nagar,
Ramanathapuram - 623 503.

3. The District Manager,
TASMAC Limited, Sulakkarai,
Virudhunagar - 626 003.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to allow the petitioner to join the duty in the post of Security Guard, by considering the representation dated 21.02.2025 made by the petitioner, within a time frame as may be fixed by this Court.



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For Petitioner : Ms.P.Jessi Jeeva Priya
For R3 : Mr.H.Arumugam
Standing Counsel

ORDER

This Writ Petition is filed seeking a direction to the respondents to permit the petitioner to join duty in the post of Security Guard, by considering the representation dated 21.02.2025 made by the petitioner, within a time frame as may be fixed by this Court.

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

3. Since no adverse orders are going to be passed against the respondents 1 and 2, notice to the respondents 1 and 2 is hereby dispensed with.

4. According to the petitioner, he is an Ex-Serviceman, who served in the Indian Army from 29.12.1991 and was honorably discharged as a Havildar on 31.12.2015. Pursuant to his discharge, the petitioner registered with the first



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respondent Corporation on 31.03.2022 and as per the contract agreement dated 05.04.2022, he was appointed as a Security Guard under the third respondent. The petitioner commenced duty on 06.04.2022 and rendered unblemished service under the third respondent. On 31.01.2025, when the petitioner reported for duty, he was unexpectedly denied access to the attendance register and was directed to approach the third respondent, who orally informed him of his termination without assigning any reason.

5. Further, the petitioner was neither issued with any show-cause notice nor any enquiry was conducted prior to termination. Hence, the petitioner made a representation dated 21.02.2025 to the first respondent, seeking enquiry into his termination and reinstatement into service, but no action has been taken till date. The petitioner is the sole breadwinner of his family and the loss of employment has caused severe financial hardship. Hence, the petitioner, having no alternative remedy, is constrained to approach this Court seeking appropriate relief.

6. Heard the learned counsel appearing for the parties.

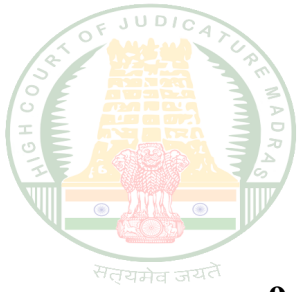


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7. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon him to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping 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.

8. In the light of the above observations, there shall be a direction to the first respondent herein to consider the petitioner's representation dated 21.02.2025, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, 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 first respondent to consider the same on its own merits.



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9. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs.

NCC : Yes / No

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Index : Yes / No

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To:-

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