



W.P.No.33479 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.33479 of 2023

V.Kishore Kumar

...Petitioner

-Vs-

1. The Chairman PRTC/Secretary (Transport),
Puducherry Road Transport Corporation Ltd.,
Puducherry – 605 001.

2. The Managing Director,
Puducherry Road Transport Corporation Ltd.,
Raja Nagar, Puducherry – 605 013.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents to issue the petitioner's Earned Leave Sanction letter and pay his earned leave along with interest within the time frame as stipulated by this Court.

For Petitioner : Mr.S.Lakshmi Narayanan

For Respondents : Mr.R.Sreedhar
Standing Counsel
(Pondy.)



W.P.No.33479 of 2023

ORDER

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Heard Mr.S.Lakshmi Narayanan, learned counsel for the petitioner and Mr.R.Sreedhar, learned Standing Counsel for the respondents. With the consent of both sides, the main writ petition has been taken up for final disposal.

2. The petitioner herein has given a representation to the first respondent on 24.10.2023, seeking issuance of the petitioner's Earned Leave Sanction letter and also payment of his earned leave along with interest. Since the said representation was not considered, the present writ petition has been filed.

3. 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 respondent 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 Constitution of India and direct them to consider the same within a stipulated time.



W.P.No.33479 of 2023

4. In the light of the above observations, there shall be a direction to the respondents to consider the representation of the petitioner dated 24.10.2023 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 expressed any of its views with regard to the merits of the claim of the petitioner and that it is open to the respondents to consider the same on its own merits.

5. With the above direction, the writ petition is disposed of. No costs.

30.11.2023
2/3

Index:Yes/No
Internet:Yes/No
sr

To

1. The Chairman PRTC/Secretary (Transport),
Puducherry Road Transport Corporation Ltd.,
Puducherry – 605 001.
2. The Managing Director,
Puducherry Road Transport Corporation Ltd.,
Raja Nagar, Puducherry – 605 013.



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W.P.No.33479 of 2023

M.S.RAMESH,J.

Sr

W.P.No.33479 of 2023
2/3

30.11.2023