



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :03.01.2020

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD)No.27038 of 2019

T.Nithya

... Petitioner

Vs.

1.The Additional Chief Engineer,
Tamilnadu Transmission Corporation Ltd.,
Transmission Line Construction,
General Construction Circle,
Trichy - 620 026.

2.The Executive Engineer,
Tamilnadu Transmission Corporation Ltd.,
Transmission Line Construction,
General Construction Circle,
Trichy - 620 026.

... Respondents

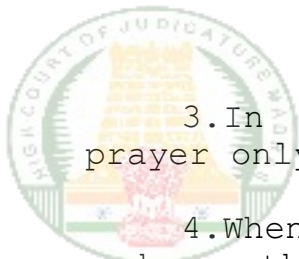
PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, directing the first respondent to review the petitioner's suspension order dated 12.07.2019 and to dispose of her representation dated 14.11.2019 by the respondents within the time limit that may be stipulated by this Court.

For Petitioner : Mr.D.Selvanayagam
For Respondents : Mr.T.Sakthi Kumaran

ORDER

The petitioner has filed this writ petition seeking for issuance of a Writ of Mandamus, directing the first respondent to review the petitioner's suspension order dated 12.07.2019 and to dispose of her representation dated 14.11.2019, within a stipulated time.

2. The learned standing counsel for the respondents would submit that in view of the involvement of the petitioner in a heinous crime under Section 302 of I.P.C, revocation of her suspension order cannot be permitted.



3. In view of the above, the petitioner has restricted her prayer only to consider her representation dated 14.11.2019.

4. Whenever a representation is made to a statutory authority to redress the claim of an employee, there is a duty cast upon the authority to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. Such an inaction would amount to dereliction of duties and thereby, this Court would be justified in invoking its extraordinary powers under Article 226 of Constitution of India and thereby, direct such authority to consider the representation within a stipulated time.

5. In view of the above observations, there shall be a direction to the first respondent herein to consider the petitioner's representation dated 14.11.2019 on its own merits and pass appropriate orders within a period of six (6) 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 view with regard to the claim made by the petitioner in her representation and it is for the first respondent to consider it in accordance with law.

6. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To

The Additional Chief Engineer,
Tamilnadu Transmission Corporation Ltd.,
Transmission Line Construction,
General Construction Circle,
Trichy - 620 026.

+1 CC to M/s.D.SELVANAYAGAM, Advocate (SR-142[F] dated 03/01/2020)
+1 CC to M/s.T.SAKTHIKUMARAN, Advocate (SR-198[F] 03/01/2020)

Order made in
W.P. (MD)No.27038 of 2019
03.01.2020

pm

SDS(09.01.2020) 2P-4C

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