



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.02.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P. (MD) No.3610 of 2021

P.Mahalakshmi

...Petitioner

Vs.

1.The Joint Managing Director,
Tamil Nadu Generation and Distribution Corporation Ltd.,
TNEB, No.144, Anna Salai,
Chennai-600 002.

2.The Chief Engineer/Personnel,
Tamil Nadu Generation and Distribution Corporation Ltd.,
TNEB, No.144, Anna Salai,
Chennai-600 002.

3.The Superintending Engineer (O&M),
Tamil Nadu Generation and Distribution Corporation Ltd.,
Karur Electricity Distribution Circle,
Karur.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the second respondent to consider the petitioner's representation dated 18.12.2020 and thereby transfer the petitioner to Theni Electricity Distribution Circle under Re-back policy.

For Petitioner : Mr.M.Saravanakumar

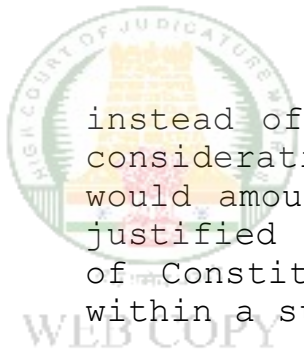
For Respondents : Mr.T.Sakthikumaran
Standing Counsel

O R D E R

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2.Since the petitioner's request to the respondents to transfer him to Theni Electricity Distribution Circle under Re-back policy was not considered, the Writ Petition has been filed. According to the petitioner, he has made a representation in this regard on 18.12.2020, which is still pending.

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 respondents to consider the same on



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.

4. In the light of the above observations, it would be appropriate to direct the third respondent herein to consider the petitioner's representation dated 18.12.2020, within a stipulated time and thereby the ends of justice could be secured. It is made clear that this Court has not expressed any of its view with regard to the merits of the claim of the petitioner and that it is open to the concerned respondent to consider the same on its own merits.

5. Accordingly, there shall be a direction to the third respondent to consider the petitioner's representation dated 18.12.2020, on its own merits and pass appropriate orders in accordance with law, as expeditiously as possible.

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

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

cp

NOTE: *In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.*

To:-

The Superintending Engineer (O&M),
Tamil Nadu Generation and Distribution Corporation Ltd.,
Karur Electricity Distribution Circle,
Karur.

<https://hcservices.ecourts.gov.in/hcservices/>



+1 CC to MR.M.SARAVANA KUMAR, Advocate (SR-6934[F] dated
24/02/2021)

+1 CC to MR.T.SAKTHI KUMARAN, Advocate (SR-7615[F] dated
26/02/2021)

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KM (11.03.2021) 3P 4C