



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.03.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P (MD) No. 5880 of 2021

and

W.M.P (MD) No. 4612 of 2021

WEB COPY

A.Karuppasamy

...Petitioner

Vs.

1.The State of Tamil Nadu,
represented by its Principal Secretary,
Department of Electricity,
Fort Saint George,
Chennai - 9.

2.The Chairman / Chief Engineer,
Tamil Nadu Generation and Distribution Corporation Limited,
10th Floor, Anna Salai, Chennai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 2nd respondent herein to consider the petitioner's representation dated 03.03.2021 and pass appropriate order to include petitioner's name for the post of Gangman (Trainee) in pursuance of the direct recruitment notification dated 07.03.2019 vide notification number 1/2019 based on the marks secured in physical test and written examination in the finalization of selection list released by the 2nd respondent, within a time stipulated by this Court.

For Petitioner : Mr.D.Nallathambi

For Respondent : Mr.A.Muthukaruppan

No.1

Additional Government Pleader

For Respondent : Ms.P.Malini for M/s.T.S.Gopalan,SCO

No.2

O R D E R

The representation dated 03.03.2021 submitted by the petitioner seeking inclusion of his name for the post of Gangman (Trainee) in the selection list published by the 2nd respondent had not been considered by the respondents and therefore, the petitioner has filed the present writ petition.

2. 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 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.

3.In the light of the above observations, it would be appropriate to direct the second respondent herein to consider the representation of the petitioner dated 03.03.2021 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.

4.Accordingly, there shall be a direction to the second respondent to consider the representation of the petitioner dated 03.03.2021 on its own merits and pass appropriate orders in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

5.With the above direction, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

dsk

To

1.The Principal Secretary,
Department of Electricity,
Fort Saint George,
Chennai - 9.

2.The Chairman / Chief Engineer,
Tamil Nadu Generation and Distribution Corporation Limited,
10th Floor, Anna Salai, Chennai.

+1 CC to M/s.D.NALLATHAMBI, Advocate (SR-12048[F] dated
18/03/2021)

+1 CC to M/s.SPL GP (SR-12144[F] dated 18/03/2021)

W.P(MD)No.5880 of 2021

17.03.2021

NA (CO)

KK(30.03.2021) 2P 5C