



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.[MD]No.6481 of 2021

M.V.Shini

... Petitioner

Vs.

1.The Chief Engineer (Personnel),
Tamil Nadu Power Generation and
Distribution Corporation (TANGEDCO),
Chennai.

2.The Superintending Engineer,
Electricity Distribution Circle,
Tamil Nadu Power Generation and
Distribution Corporation (TANGEDCO),
Nagerkovil,
Kanyakumari District.

3.The Assistant Executive Engineer,
Electricity Distribution Circle,
Tamil Nadu Power Generation and
Distribution Corporation (TANGEDCO),
Kulithurai, Kanyakumari District.

4.The Assistant Engineer,
Electricity Distribution Circle,
Tamil Nadu Power Generation and
Distribution Corporation (TANGEDCO),
Puthan Santhai,
Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 05.01.2021 and take necessary action to regularize her service and pay the salary along with arrears within the time stipulated by this Court.

For Petitioner : Mr.B.Jameelarasu

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 to regularize her service and pay the salary along with arrears was not



considered, the Writ Petition has been filed. According to the petitioner, she has made a representation in this regard on 05.01.2021, 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 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.

4. In the light of the above observations, it would be appropriate to direct the first respondent herein to consider the petitioner's representation dated 05.01.2021, 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.

5. Accordingly, there shall be a direction to the first respondent to consider the petitioner's representation dated 05.01.2021, on its own merits and pass appropriate orders in accordance with law, within a period of three [3] months from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition stands disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

MR

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
1.The Chief Engineer (Personnel),
Tamil Nadu Power Generation and
Distribution Corporation (TANGEDCO),
Chennai.

+1 CC to M/s.T.SAKTHI KUMARAN, Advocate (SR-13642[F] dated
25/03/2021)

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RK (24.04.2021) 3P 3C