



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.24016 of 2019

- 1.K.Kannan
- 2.S.Ramesh
- 3.M.Shanmugam
- 4.M.Arunachalam
- 5.M.Thangeswaran
- 6.N.Subburaj
- 7.Selvakumar
- 8.R.Kadasamy
- 9.Veeramani
- 10.S.Premkumar
- 11.Dhanasekaran
- 12.V.Gurumoorthy
- 13.A.Marimuthu
- 14.S.Mareeswaran
- 15.S.Senthilkumar
- 16.M.Sivagurunathan

...Petitioners

Vs.

- 1.The Chairman/Managing Director,
Tamil Nadu Generation & Distribution
Corporation Ltd., (TANGEDCO),
Formerly known as TNEB
No.144, Anna Salai,
Chennai-600 002.
- 2.The Chief Engineer (Personnel),
Tamil Nadu Generaion & Distribution
Corporation Ltd., (TANGEDCO)
Formerly known as TNEB,
No.144, Anna Salai,
Chennai-600 002.
- 3.The Superintending Engineer,
Tamil Nadu Generation & Distribution
Corporation Ltd., (TANGEDCO),
Formerly known as TNEB
Virudhunagar,
Virudhunagar District.
- 4.The Chief Engineer,
Tirunelveli Region,
Tamil Nadu Generation & Distribution
Corporation Ltd., (TANGEDCO),
Formerly known as TNEB
Tirunelveli,
Tirunelveli District.

... Respondents



PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the first respondent to provide any of the jobs to preferably for the post to Wireman without fixing any upper age limit based on the seniority of the trainee assistance on a preferential basis under the first respondent's Board on the basis of the petitioners' representation dated 14.08.2019, 16.08.2019, 20.08.2019 and 21.08.2019.

For Petitioners : Mr.S.Muthukumar
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 petitioners' request to the respondents to provide any of the jobs to preferably for the post to Wireman without fixing any upper age limit based on the seniority of the trainee assistance on a preferential basis under the first respondent's Board was not considered, the Writ Petition has been filed. According to the petitioners, they have made the representations in this regard on 14.08.2019, 16.08.2019, 20.08.2019 and 21.08.2019, which are 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 petitioners' representations dated 14.08.2019, 16.08.2019, 20.08.2019 and 21.08.2019, 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 petitioners 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 petitioners' representations dated

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



14.08.2019, 16.08.2019, 20.08.2019 and 21.08.2019, on its own merits and pass appropriate orders in accordance with law, within a period of three months from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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 Chairman/Managing Director,
Tamil Nadu Generation & Distribution
Corporation Ltd., (TANGEDCO),
Formerly known as TNEB
No.144, Anna Salai,
Chennai-600 002.

+1 CC to M/s.T.SAKTHI KUMARAN, Advocate (SR-8820[F] dated 04/03/2021)

+16 CC to M/s.S.MUTHUKUMAR, Advocate (SR-8963[F] dated 05/03/2021)

W.P. (MD) No.24016 of 2019

03.03.2021

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