



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.02.2022

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.16782 of 2013

S.Ulaganathan

...Petitioner

.Vs.

1.The Chief General Manager,
Administrative Office,
Mines - II, Neyveli Lignite Corporation,
Neyveli, Cuddalore District.

2.The Management of NLC Indco Serve,
Rep. by its Special Officer,
Opp. Thermal Station,
Neyveli - 607807.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to issue enrolment application to the petitioner and thereby, enabling him to join the second respondent society, by considering his representation dated 09.03.2013.

For Petitioner : Mr.R.Marudhachalamurthy

For Respondents : Mr.N.A.K.Sharma [R1]
Mr.Anand Gopalan [R2]
for M/s.T.S.Gopalan & Co.

ORDER

The petitioner herein had given representation to the second respondent requesting them to issue him enrolment application and enable him to join second respondent society. Since the said representation was not considered, the present writ petition has been filed.

2. It is needless to point out that whenever representations of this nature are 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. Since the representation given by the petitioner dates back to the year 2013, it would be appropriate that the petitioner be granted liberty to give a fresh consolidated representation, with a consequential direction to the second respondent herein to consider the same.

4. In the light of the above observations, the petitioner is granted liberty to give a fresh representation to the second respondent herein ventilating his grievances. On receipt of the same, the second respondent shall consider it on its own merits and pass appropriate orders in accordance with law, within a period of three (3) weeks from the date of receipt of the representation. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim made by the petitioner and that it is open to the concerned respondent to consider the same on its own merits.

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

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Chief General Manager,
Administrative Office,
Mines - II, Neyveli Lignite Corporation,
Neyveli, Cuddalore District.
- 2.The Special Officer,
Management of NLC Indco Serve,
Opp. Thermal Station,
Neyveli - 607807.

+1cc to Mr. T.S.Gopalan & Co, Advocate, S.R.No.12719

+1cc to M/s. N.Nithianandam, Advocate, S.R.No.13300

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RN(22/03/2021)