



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **06.06.2022**

CORAM:

THE HONOURABLE **MR. JUSTICE M. S. RAMESH**

W.P. (MD) No. 9536 of 2022

S. Mariappan

... Petitioner

/vs./

1. The Chief Engineer/Personnel,
TANGEDCO,
Western Wing,
III Floor, Administrative Branch,
144, Annasalai,
Chennai - 600 002.

2. The Superintending Engineer,
TANGEDCO,
Kadambarai Generation Circle,
Minparai,
Coimbatore District.

3. The Superintending Engineer,
Purchase and Administrative,
Tudicorin Thermal Power Station,
Tudicorin.

4. The Assistant Executive Engineer,
TANGEDCO,
Sub Division - 1,
Turbine Maintenance - II,
TTPS / Tuticorin - 4.

... Respondents

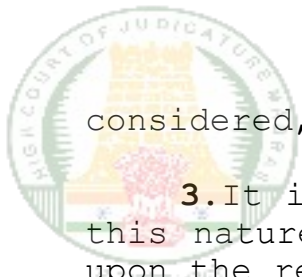
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the 3rd and 4th respondents to consider the petitioner's representation dated 18.02.2022 and retention at 3rd respondent office.

For Petitioner	:	Mr. Gandhiammal
For Respondents	:	Mr. S. Arivalagan Standing Counsel

ORDER

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

2. The petitioner herein had given a representation to the respondents on 18.02.2022 seeking for cancellation of the transfer order dated 21.12.2021. Since the said representation was not



considered, the present writ petition has been filed.

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, there shall be a direction to the third respondent herein to consider the petitioner's representation dated 18.02.2022, if not already considered, on its own merits and pass appropriate orders in accordance with law, within a period of eight (8) weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its views 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.With the above direction, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

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



3.The Superintending Engineer,
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Tudicorin.

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TANGEDCO,
Sub Division - 1,
Turbine Maintenance - II,
TTPS / Tuticorin - 4.

+1 CC to M/s.K.GANDHIAMMAL, Advocate (SR-24346[F] dated
07/06/2022)

W.P. (MD) No.9536 of 2022
06.06.2022

NSN (CO)
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