



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **16.06.2022**

CORAM:

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

W.P.(MD)No.11910 of 2022

Mrs.B.Maheswari

... Petitioner

/vs./

1.The Chief Engineer / Distribution,
TANGEDCO,
K.Pudur,
Madurai-7.

2.The Superintending Engineer,
TANGEDCO,
Ramanathapuram Distribution Circle,
Ramanathapuram District.

3.The Executive Engineer,
TANGEDCO,
Ramanathapuram Distribution Circle,
Ramanathapuram District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to regularize the period of punishment of Compulsory retirement i.e., between 17.09.2022 and 08.01.2003 (114 days) and consequently to direct the respondents to revise the pay of the petitioner for the period between i.e., 23.05.2000 and 31.05.2016 and disburse the same as arrears of salary to the petitioner within the period that may be stipulated by this Court.

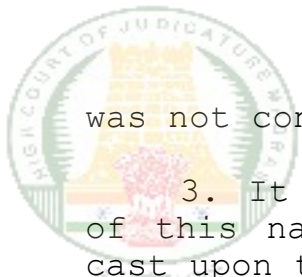
For Petitioner : Mr.Mohamed Suhail
for M/s.Ajmal Associates

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 06.04.2022 seeking to regularize the period of punishment of Compulsory retirement. 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 second respondent herein to consider the petitioner's representation dated 06.04.2022, in the light of the proposal, dated 21.03.2022 sent by the third respondent herein, on its own merits and pass appropriate orders in accordance with law, within a period of eight 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 //

/07/2022

Sub Assistant Registrar(CS)

btr/vji

To

1.The Chief Engineer / Distribution,
TANGEDCO,
K.Pudur,
Madurai-7.

2.The Superintending Engineer,
TANGEDCO,
Ramanathapuram Distribution Circle,
Ramanathapuram District.



3.The Executive Engineer,
TANGEDCO,
Ramanathapuram Distribution Circle,
Ramanathapuram District.

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-26383[F] dated
17/06/2022)

W.P.(MD)No.11910 of 2022
16.06.2022

RD(04.07.2022) 3P 5C