



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **17.06.2022**

CORAM:

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

W.P. (MD)No.12295 of 2022

V.Murugesan

... Petitioner

/vs./

1.The Chief Engineer / Personnel,
TANGEDCO,
144, Annasalai,
Chennai - 600 002.

2.The Chief Engineer,
Thoothukudi Thermal Power Station,
Thoothukudi - 4.

3.The Superintending Engineer / Purchase and Administration,
Thoothukudi Thermal Power Station,
Thoothukudu - 4.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the 1st respondent to regularize the petitioner's service on basis of Hon'ble Justice V.Khalid's (Former Justice of Hon'ble Supreme Court of India) guidelines for regularization of appointment of workers by the selection committee of TANGEDCO as per the representation dated 20.01.2022 made by the petitioner.

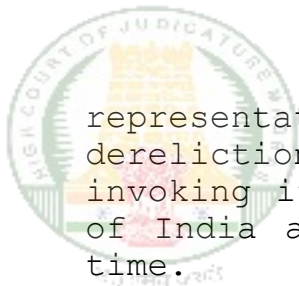
For Petitioner : Mr.K.Gandiammal
For Respondents : Mr.T.S.Gopalan
Standing Counsel

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 20.01.2022 seeking for regularization of the petitioner's service. 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.

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4. In the light of the above observations, there shall be a direction to the first respondent herein to consider the petitioner's representation dated 20.01.2022 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. 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-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To:

1. The Chief Engineer / Personnel,
TANGEDCO,
144, Annasalai,
Chennai - 600 002.

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Thoothukudi - 4.

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Thoothukudi Thermal Power Station,
Thoothukudi - 4.

+1 CC to M/s.K. GANDHIAMMAL, Advocate (SR-26810[F] dated 20/06/2022)

Order made in
W.P. (MD) No.12295 of 2022
Dated: 17.06.2022

CK (CO) GC (29.06.2022) 2P 5C

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