



W.P.(MD).No.13324 of 2022

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.06.2022

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.(MD).No.13324 of 2022

S.Chandrasekaran

...Petitioner

Vs

- 1.The Managing Director,
Tamil Nadu Water Supply and Drainage Board,
Chepauk,
Chennai – 600 005.
- 2.The Chief Engineer,
Tamil Nadu Water Supply and Drainage Board,
Southern Region,
Melur Road,
Madurai.
- 3.The Superintending Engineer,
Tamil Nadu Water Supply and Drainage Board,
Sivagangai Division,
R.P.K.Circle,
Weekly Market,
Sivagangai.



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4.The Executive Engineer,
Tamil Nadu Water Supply and Drainage Board,
RWS Division,
Near Bus Stand,
Sivagangai.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Writ of Certiorarified Mandamus, to call for the records of the fourth respondent in Proc.No.F.638/Supdt/2019/date: 09.05.2019 and quash the same as illegal and consequently directing the respondents to reinstate the petitioner into service, within the stipulated time that may be fixed by this Court.

For Petitioner : Mr.SP.Vijay Nivas

For Respondents : Mr.B.Vijay Karthikeyan,
Standing Counsel.

ORDER

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

2. Though the prayer sought for in this writ petition is larger in nature, the learned Counsel for the petitioner confines the prayer to consider the petitioner's representation dated 17.06.2022. The learned



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Standing Counsel appearing for the respondents has also no serious objection for the same.

3. The petitioner herein had given a representation to the respondents on 17.06.2022 seeking for reinstatement into service. Since the said representation was not considered, the present writ petition has been filed.

4. 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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5. In the light of the above observations, there shall be a direction to the fourth respondent herein to consider the petitioner's representation dated 17.06.2022 on its own merits and pass appropriate orders in accordance with law, within a period of four (4) 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.

6. With the above direction, the Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

27.06.2022

Index:Yes/No

Speaking order/Non-speaking order

Nsr/TM



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M.S.RAMESH,J.

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