



WP(MD)No.17557 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **05.08.2022**

CORAM:

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

W.P.(MD)No.17557 of 2022

V.Pandian @ Suthipandian

... Petitioner

/vs./

1.The Chief Engineer (Distribution),
TANGEDCO,
Madurai Region,
K.Pudhur,
Madurai-625 007.

2.The Superintending Engineer (Distribution),
TANGEDCO,
Madurai Electricity Distribution Circle,
K.Pudhur,
Madurai-625 007.

3.The Executive Engineer,
TANGEDCO,
Madurai Electricity Distribution Circle,
East Division,
Natham Road,
Madurai-625 007.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents herein to grant benefits



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to the petitioner for wage revision (Abstract) for periods 01.12.2002, 01.12.2007, 01.12.2011 and 01.12.2015 and arrears, increment, selection grade promotion and all other benefits to the petitioner as per the (Per).B.P.(F.B) No.27, dated 07.11.2002, by considering the representation, dated 05.07.2022, within the period that may be stipulated by this Court.

For Petitioner : Mr.C.Balumahendran
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 05.07.2022 seeking to grant benefits to the petitioner for wage revision (Abstract) for periods 01.12.2002, 01.12.2007, 01.12.2011 and 01.12.2015 and arrears, increment, selection grade promotion and all other benefits to the petitioner as per the (Per).B.P.(F.B) No.27, dated 07.11.2002. Since the said representation was not considered, the present Writ Petition has been filed.



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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 first and second respondents herein to consider the petitioner's representation dated 05.07.2022 on its own merits and pass appropriate orders in accordance with law, within a period of twelve (12) 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.



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Index : Yes / No

Internet : Yes / No

btr

To

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M.S.RAMESH, J.

btr

Order made in
W.P.(MD)No.17557 of 2022

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