



W.P.(MD) No.18020 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.08.2022

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THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.18020 of 2022

K.Dhakshinamoorthy

... Petitioner

Vs.

**The Superintending Engineer,
Tamilnadu Generation and Distribution Corporation Ltd.,
(TANGEDCO),
Karur Electricity Distribution Circle,
Karur District.**

... Respondent

PRAYER: Writ petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the respondent herein to disburse petitioner's encashment of the earned leave, unearned leave on private affairs and special provident fund on the petitioner's contribution by considering his representation, dated 14.06.2022, within the time stipulated by this Court.

For Petitioner : Mr.P.Mahendran

**For Respondents : Mr.S.Arivazhagan
Standing Counsel**



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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 14.06.2022 seeking to disburse petitioner's encashment of the earned leave, unearned leave on private affairs and special provident fund on the petitioner's contribution. 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 respondent herein to consider the petitioner's representation dated 14.06.2022 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.

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Index : Yes / No
Speaking Order/ Non Speaking Order

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M.S.RAMESH,J.

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