



W.P.(MD).No.18291 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.08.2022

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD).No.18291 of 2022

K.Radhakrishnan

... Petitioner

Vs.

1.The Deputy Chief Internal Audit Officer,
Audit Branch,
Madurai Region,
TANGEDCO,
K.Pudur,
Madurai – 625 007.

2.The Executive Engineer,
Oddanchathiram Division,
TANGEDCO,
Oddanchathiram,
Dindigul District – 624 619.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the Respondent No.1 to approve the pay fixation order issued by the Respondent No.2 vide his proceedings dated 29.07.2022 and disburse the monetary benefits to the petitioner within the time period stipulated by this Court.



For Petitioner : Mr.T.Lajapathi Roy
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 01.08.2022 seeking to approve the pay fixation order issued by the second respondent and to disburse the monetary benefits. 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 01.08.2022, 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. There shall be no order as to costs.

12.08.2022

Index : Yes / No
Internet : Yes/ No
Lm/Rmk

To

1.The Deputy Chief Internal Audit Officer,
Audit Branch,
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TANGEDCO,
K.Pudur,
Madurai – 625 007.

2.The Executive Engineer,
Oddanchathiram Division,
TANGEDCO,
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M.S.RAMESH, J.

Lm/Rmk

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