



WP(MD)No.19741 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **25.08.2022**

CORAM:

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

W.P.(MD)No.19741 of 2022

R.Prabha

... Petitioner

/vs./

- 1.The Secretary,
Office of the Tamilnadu Electricity,
Generation and Distribution Department,
Chief Secretariat,
Chennai.
- 2.The District Collector,
Office of the District Collector,
Thanjavur.
- 3.The Superintending Engineer,
Office of Superintending Engineer,
TNEB, No.1, Vallam Road,
Thanjavur.
- 4.The Assistant Executive Engineer,
Office of the TNEB,
The Assistant Executive Office,
Madukur, Pattukotai Taluk,
Thanjavur District.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents herein to appoint the petitioner in any suitable post on compassionate grounds on the basis of the petitioner's representation dated 19.01.2022.

For Petitioner : Mr.P.Balasubramaniyan

For Respondents : Mrs.D.Farjana Ghoushia

Special Government Pleader (for R1 & R2)

Mr.S.Arivalagan

Standing Counsel (for R3 & R4)

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 19.01.2022 seeking for an employment on compassionate ground and compensation. 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 second respondent herein to consider the petitioner's representation dated 19.01.2022 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.



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WEB COPY 5. With the above direction, the Writ Petition stands disposed of. No costs.

25.08.2022

Index : Yes / No

Internet : Yes / No

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M.S.RAMESH, J.

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Order made in
W.P.(MD)No.19741 of 2022

Dated:
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