



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.06.2022

CORAM:

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

W.P. (MD)No.22165 of 2018

Sebastin

... Petitioner

/vs./

1.Tamil Nadu Water Supply
and Drainage Board,
By its Managing Director,
Cheppakkam, Chennai.

2.The Assistant Executive Engineer,
Maintenance Division,
Tamil Nadu Water Supply and Drainage Board,
J.K.Nagar, Kajamalai,
Trichy.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 02.05.2018 and regularize the service from the date of joining that is from date of joining ie., 19.02.1993 instead of 30.01.1997.

For Petitioner : Ms.J.Madhu
for Mr.S.Muthukrishnan
For Respondents : Mr.R.Satheesh
Standing Counsel

ORDER

The petitioner herein had given a representation to the respondents on 02.05.2018 seeking for regularization of the petitioner's service from his date of joining. Since the said representation was not considered, the present writ petition has been filed.

2.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.



3. In the light of the above observations, there shall be a direction to the petitioner to give a fresh representation to the respondents, though he has made a representation, dated 02.05.2018, seeking for regularization of the petitioner's service from his date of joining and on receipt of such representation, the first respondent herein shall consider the same, 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 such representation. 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.

4. With the above direction, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar(T & P)

// True Copy //

/07/2022

Sub Assistant Registrar(CS)

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To

1. Tamil Nadu Water Supply and Drainage Board,
By its Managing Director,
Cheppakkam,
Chennai.

2. The Assistant Executive Engineer,
Maintenance Division,
Tamil Nadu Water Supply and Drainage Board,
J.K.Nagar, Kajamalai,
Trichy.

+1 CC to M/s.S. MUTHU KRISHNAN, Advocate (SR-27391[F] dated
22/06/2022)

Order made in
W.P. (MD) No.22165 of 2018
Dated:20.06.2022

SG(CO)

TR(05.07.2022) 2P 4C