



WEB COPY



W.P.No.18381 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.18381 of 2023

V. Ramakrishnan

... Petitioner

Vs.

1.The State of Tamil Nadu

Rep. by its Additional Chief Secretary to Government,
Energy Department,
Secretariat, Fort St. George,
Chennai – 600 009.

2.The Chief Electrical Inspector to Government,

Thiru. Vi. Ka. Industrial Estate,
Guindy,
Chennai – 600 032.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st respondent to consider and pass orders on the petitioner's representations dated 24.02.2020, 17.06.2020, 27.02.2021, 01.04.2021 and 27.05.2021 against the adverse remarks/grading awarded to him in the Annual Confidential Report for the year 2013-2014 within a stipulated period of time and in accordance with law and merits.



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For Petitioner : Mr.R. Prem Narayan

For Respondents : Mr.P. Gurunathan,
Additional Government Pleader

ORDER

With the consent of both the parties, this Writ Petition is taken up for final disposal at the admission stage itself.

2. The petitioner herein has given several representations to the first respondent on 24.02.2020, 17.06.2020, 27.02.2021, 01.04.2021 and 27.05.2021, seeking to drop adverse remarks/grading awarded to him in the Annual Confidential Report for the year 2013-2014. Since the said representations were 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



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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 respondent herein, to consider the petitioner's representations dated 24.02.2020, 17.06.2020, 27.02.2021, 01.04.2021 and 27.05.2021, 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.

23.06.2023

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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M.S.RAMESH,J.

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To

- 1.The Additional Chief Secretary to Government of Tamil Nadu,
Energy Department,
Secretariat, Fort St. George,
Chennai – 600 009.
- 2.The Chief Electrical Inspector to Government,
Thiru. Vi. Ka. Industrial Estate,
Guindy,
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