



WEB COPY



W.P.No.15115 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.15115 of 2022

N.Babu

...Petitioner

Vs

1. The Managing Director,
TANGEDCO,
Chennai-600 002.
2. The Chief Engineer,
Ennore Thermal Power Station,
Ennore, Chennai-600 057.
3. The Superintending Engineer,
Purchase and Administration,
Ennore Thermal Power Station,
Ennore, Chennai-600 057.
4. The Executive Engineer,
Ennore Thermal Power Station,
Ennore, Chennai-600 057.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents R.2 to R.4 to consider the representations of the petitioner and his Power of Attorney dated 15.12.2021 and to pay the GPF amount due to the petitioner with



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interest, petitioner's personal GPF savings, pay/wages division arrears and earned leave benefits with interest.

For Petitioners : Mr.A.Thiyagarajan
For Respondents : Mr.David Sundar Singh
Standing Counsel

ORDER

Heard Mr.A.Thiyagarajan, learned counsel for the petitioner and Mr.David Sundar Singh, learned Standing Counsel for the respondents.

2. The petitioner herein has given a representation to the respondents 2 to 4 on 15.12.2021, seeking for a direction to pay the GPF amount due to him with interest, his personal GPF savings, pay/wages division arrears and earned leave benefits with interest. 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



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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 respondents 2 to 4 herein to consider the petitioners' representation dated 15.12.2021 on its own merits and pass appropriate orders in accordance with law, within a period of six weeks from the date of receipt of a copy of this order, after giving opportunity to all the concerned parties. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim of the petitioners and that it is open to the respondents 2 to 4 to consider the same on its own merits.

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

01.06.2023

Index:Yes/No
Speaking order/Non-speaking order
sr

M.S.RAMESH,J.,



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sr

To

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