



W.P.No.16528 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.10.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.16528 of 2022

J.Jeansingh

... Petitioner

Vs.

1. The Chairman cum Managing Director,
Tamil Nadu Generation and Distribution Corporation Ltd.,
No.144, Anna Salai, Chennai – 600 002.

2. The Chief Engineer, Personnel,
Tamil Nadu Generation and Distribution Corporation Ltd.,
No.144, Anna Salai, Chennai – 600 002.

3. The Superintending Engineer,
Chengalpet Electricity Distribution Circle,
Tamil Nadu Electricity
and Distribution Corporation Ltd.,
Chengalpet.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the third respondent to consider the petitioner's representation dated 23.01.2012 followed by reminders with last representation dated 29.04.2022 and to grant Special Grade Foreman on par with his juniors given promotions issued by the 3rd respondent in Memo No. 02590/Adm – 111/Am.F.FM-1 Gr/2011 dated



W.P.No.16528 of 2022

03.08.2011 and the consequent proceedings in Ku.No.1474-1/
May.Pa.Po/Say Mi Pa Va/ Say/Ni. Aa/NiPi.1/Udhavi 2/ Ko. Vu.Po/ 2019
dated 12.11.2019.

For Petitioner : Mr.P.Muthukrishnan

For Respondents : Mr.David Sundar Singh
Standing Counsel

ORDER

This writ petition is filed to direct the third respondent to consider the petitioner's representation dated 23.01.2012 followed by reminders with last representation dated 29.04.2022 and to grant Special Grade Foreman on par with his juniors.

2. The petitioner herein has given a representation to the third respondent on 23.01.2012, seeking for revision of his seniority. He has also given a reminder letter dated 29.04.2022 for the said representation. Since the said representation and the reminder letter have not been considered till date, the present Writ Petition has been filed.



W.P.No.16528 of 2022

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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 third respondent herein, to consider the petitioner's representation dated 23.01.2012 and the reminder representation dated 29.04.2022, 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.



W.P.No.16528 of 2022

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5. With the above direction, the Writ Petition stands disposed of.

No costs.

31.10.2023

Index:Yes/No

Speaking order/Non-speaking order

Neutral Citation: Yes/No

mp

To

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W.P.No.16528 of 2022

M.S.RAMESH,J.

mp

W.P.No.16528 of 2022

31.10.2023