



W.P.No.16718 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.16718 of 2023

B. Pandiyan

... Petitioner

Vs.

- 1.The Chairman-cum-Managing Director,
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO),
No.144, NPKKR Maaligai,
Anna Salai, Chennai – 600 002.
- 2.The Superintending Engineer,
Chennai North Electricity Distribution Division,
Tamil Nadu Electricity Board,
No.800, Anna Salai, Chennai – 600 002.
- 3.The Junior Engineer,
Ponneri Electricity Distribution Division,
Tamil Nadu Electricity Board,
Ponneri.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents herein to consider, dispose of and pass orders on merits on the representation of the petitioner dated 19.09.2022 to include his name in



W.P.No.16718 of 2023

the list of contract labourers and to absorb him as permanent employee in the respondents Board.

For Petitioner : Mr.A. Saravanan

For Respondents : M/s.T.S. Gopalan & Co.

ORDER

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

2. The petitioner herein had given a representation to the second respondent on 19.09.2022, seeking to include his name in the list of contract labourers and to absorb him as permanent employee in the respondents Board. 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



W.P.No.16718 of 2023

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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 herein, to consider the petitioner's representation dated 19.09.2022, 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.

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

No costs.

07.06.2023

Index: Yes/No

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W.P.No.16718 of 2023

M.S.RAMESH,J.

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To

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W.P.No.16718 of 2023

07.06.2023