



W.P.No.18213 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.18213 of 2023

Arul Kumar

...Petitioner

Vs

The Chief Engineer [Personnel],
TANGEDCO,
144, Anna Salai,
Chennai – 104.

...Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to consider the petitioner's representation dated 20.10.2022 and direct the respondent to pass appropriate orders promoting the petitioner as Junior Engineer Grade-II with effect from October 2021 or at least from the date when he was promoted as Foreman Grade I with all attendant benefits like back wages and seniority.

For Petitioner : Mr.S.Elamurugan

For Respondent : Mr.K.Rajkumar
Standing Counsel for TANGEDCO



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ORDER

WEB COPY 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 had given a representation to the respondent on 20.10.2022, seeking for promotion as Junior Engineer Grade-II with all attendant benefits together with seniority. 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 him 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 the Constitution of the India and direct them to consider the same within a stipulated time.



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4. In the light of the above observations, there shall be a direction to the respondent herein to consider the petitioner's representation dated 20.10.2022, on its own merits and pass appropriate orders in accordance with law, within a period of eight 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 made by the petitioner and that it is open to the respondent to consider the same on its own merits.

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

No costs.

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Index: Yes/No

Speaking order/Non-speaking order

hvk

To

The Chief Engineer [Personnel],
TANGEDCO,
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Chennai – 104.



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M.S.RAMESH,J.

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