



W.P.No.18672 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.18672 of 2023

1.M.S.Karthik

2.Nandhini

...Petitioners

Vs

1.The Chairman cum Managing Director,
TANGEDCO, No.144, Annasalai,
Chennai - 600 002.

2.The Superintending Engineer,
TANGEDCO, CE/DC/North Chennai,
Chennai - 02.

3.The Executive Engineer,
TANGEDCO, (O&M),
Tondiarpet Division,
Chennai - 600 021.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to consider the 1st petitioner's representation for compassionate appointment dated 01.10.2021 in lieu of the proceedings in Letter No.049433/200/G10/G101/2021 dated 19.08.2021 issued by the 1st respondent.



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For Petitioners : Mr.M.D.Ilayaraja

For Respondents : Mr.David Sundar Singh,
Standing Counsel for TNEB

ORDER

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

2. The first petitioner herein had given an application to the first respondent on 01.10.2021, seeking compassionate appointment. Since there was no progress, the petitioner has approached this Court by way of this Writ Petition.

3. It is needless to point out that whenever an application of this nature is made to a Statutory Authority, there is a duty cast upon them 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 application 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



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of the India and direct them to consider the application 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 application dated 01.10.2021, on its own merits and pass appropriate orders in accordance with law, within a period of three months 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 concerned 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

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M.S.RAMESH,J.

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To

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