



W.P.No.18613 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.18613 of 2023

K.Subramanian

...Petitioner

Vs

1.The Chairman,
Tamil Nadu Generation & Electricity
Distribution Corporation, (TANGEDCO),
No.144, Anna Salai,
Chennai - 600 002.

2.The Chief Engineer (O&M),
Tamil Nadu Generation & Electricity
Operation and Maintenance,
Erode, Erode District.

3.The Superintending Engineer,
Gobi Electricity Distribution Circle,
Tamil Nadu Generation & Electricity
Distribution Corporation,
Gobi, Erode District.

4.The Assistant Engineer (O&M),
Gobi Electricity Distribution Circle,
Tamil Nadu Generation & Electricity
Distribution Corporation,
South/Anthiyur, Erode District.

...Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to settle the contributory pension amount to the petitioner, based on the representation dated 24.04.2023 and the proceedings of the 4th respondent in Lr.No.Vu.Mi.Po/E/PE/South/Andhi/Ko.2/No.16 23 24 dated 24.04.2023 and 01.06.2023.

For Petitioner : Mr.V.Elangovan

For Respondents : Mr.K.Rajkumar,
Standing Counsel

ORDER

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

2. The petitioner herein had given a representation to the third respondent on 24.04.2023, seeking for settlement of the contributory pension amount, in accordance with the recommendation made by the fourth respondent dated 24.04.2023 and 01.06.2023. The said representation has not been considered till date. Hence, the petitioner has approached this Court by way of this Writ Petition.



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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 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 representation 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 24.04.2023, 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 concerned respondent to consider the same on its own merits.



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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

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M.S.RAMESH,J.

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