



W.P.No.19187 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.19187 of 2023

V. Thavamani

... Petitioner

Vs.

1.The Chairman,
The Tamil Nadu Generation and Distribution
Corporation Ltd.,
No.825, Link Road, Anna Salai,
Chennai – 2.

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

3.The Superintendent Engineer,
The Tamil Nadu Generation and Distribution
Corporation Ltd.,
Kallakurichi,
Kallakurichi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 3rd respondent to give appointment to the petitioner's son namely V. Gowtham under



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compassionate ground for the post of Junior Assistant or any other suitable job, subsequent to death of petitioner's husband namely K. Venkatesan while he was in service in the light of W.A.(MD).No.315 of 2023 dated 13.04.2023.

For Petitioner : Mr.S. Gajapathi Krishnan

For Respondents : Mr.K. Rajkumar,
Standing Counsel

ORDER

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 has given representation to the third respondent on 01.08.2022, seeking for appointment of her son namely V.Gowtham under compassionate ground, for the post of Junior Assistant or any other suitable job, subsequent to the death of her husband namely K.Venkatesan while he was in service. Since the said representation was not considered, the present Writ Petition has been filed.



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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 01.08.2022, on its own merits and pass appropriate orders in accordance with law, within a period of three (3) 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 of the petitioner and that it is open to the concerned respondent to consider the same on its own merits.



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M.S.RAMESH,J.

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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/Non-speaking order

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To

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