



W.P.No.19091 of 2023

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.19091 of 2023

T. Sugunath

... Petitioner

Vs.

1.The Chairman cum Managing Director,
Tamil Nadu Generation and Distribution
Corporation Ltd., (TANGEDCO),
144, Anna Salai,
Chennai – 600 002.

2.The Chief Engineer/Personnel,
TANGEDCO,
No.144, Anna Salai,
Chennai – 2.

3.The Superintending Engineer,
Tamil Nadu Generation and Distribution
Corporation Ltd., (TANGEDCO),
Chengalpattu,
Chengalpattu District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st respondent to disburse the revised amount of retirement benefit and family pension for



W.P.No.19091 of 2023

the period left out between the year 2010 to 2015 to the petitioner by considering petitioner representation dated 10.01.2023 within a time frame as fixed by this Court.

For Petitioner : Mr.G. Arumugaraja

For Respondents : Mr.David Sundar Singh,
Standing Counsel

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 has given several representations to the respondents on 26.12.2022, 10.01.2023, 08.05.2023 and 12.06.2023, seeking for disbursement of the revised amount of his retirement benefit and family pension for the period left out between the year 2010 to 2015. Since the said representations were not considered, the present Writ Petition has been filed.



W.P.No.19091 of 2023

WEB COPY **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 first respondent herein, to consider the petitioner's representation dated 10.01.2023, on its own merits and pass appropriate orders in accordance with law, within a period of four (4) 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.



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W.P.No.19091 of 2023

M.S.RAMESH,J.

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

No costs.

27.06.2023

Index: Yes/No

Speaking order/Non-speaking order

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Note: Issue Order Copy on 03.07.2023

To

- 1.The Chairman cum Managing Director,
Tamil Nadu Generation and Distribution
Corporation Ltd., (TANGEDCO),
144, Anna Salai, Chennai – 600 002.
- 2.The Chief Engineer/Personnel,
TANGEDCO,
No.144, Anna Salai, Chennai – 2.
- 3.The Superintending Engineer,
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W.P.No.19091 of 2023