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W.P.No.19929 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.19929 of 2023

K.Govindarajulu

...Petitioner

-Vs-

1. Tamil Nadu State Construction Corporation Ltd.,
(TNSCC),
Represented by its Managing Director,
Jai Nagar, Arumbakkam,
Chennai-600 106.

2. The Tamil Nadu Energy Development Agency,
(TEDA),
Represented by its Chairman & Managing Director,
5th Floor, EVK Sampath Maaligai, College Road,
Chennai-600 006.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 2nd respondent to pay a sum of Rs.4,30,858/- along with (24% compound interest should calculate at the rate of Rs.5,25,600/- from 01.12.2015 till date of realisation).

For Petitioner : Mr.N.Beulah John Selvaraj

For Respondents : No appearance



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ORDER

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Heard Mr.N.Beulah John Selvaraj, learned counsel for the petitioner.

Though notice has been served on the respondents and their names have been printed in the cause list, none appeared for them.

2. The petitioner herein has given representations to the second respondent on 16.06.2022 and 27.04.2023, seeking for payment of a sum of Rs.4,30,858/- towards gratuity. Since the said representations were 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 the respondent 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



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respondents to consider the representations of the petitioner dated 16.06.2022 and 27.04.2023 seeking for payment of a sum of Rs.4,30,858/-towards gratuity. 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 of the petitioner and that it is open to the respondents to consider the same on its own merits.

5. With the above direction, the writ petition is disposed of. No costs.

20.11.2023

Index: Yes/No
Internet: Yes/No
sr

To

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M.S.RAMESH,J.

SR

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