



W.P.No.31874 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.11.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.31874 of 2023

N.Pandurangan

... Petitioner

Vs.

1.The Chief Engineer (Personnel)
Tamil Nadu Generation and Distribution
Corporation Ltd., No.144, Anna Salai
Chennai 600 002.

2.The Superintending Engineer
Chennai Electricity Distribution Circle (West)
Tamil Nadu Generation and Distribution Corporation
Limited, Thirumangalam, Chennai 600 040.

... 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 settle all monetary and service benefits after regularising the petitioner's service pursuant to the dismissal order dated 27.07.2022 passed by this Hon'ble Court in Criminal Appeal No.491 of 2012 by considering the petitioner's representation dated 23.12.2022 and pass orders within a time frame as fixed by this Hon'ble Court.

For Petitioner	: Mr.G.Anandakumar
For Respondents	: Mr.David Sundar Singh Standing Counsel



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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 have given representation to the respondents on 23.12.2022, seeking to settle all monetary and service benefits after regularizing the petitioner's service pursuant to the dismissal order dated 27.07.2022 passed by this Hon'ble Court in Criminal Appeal No.491 of 2022. Since the said representation has not been considered till date, 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 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 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.



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4. In the light of the above observations, there shall be a direction to the second respondent herein, to consider the petitioner's representation dated 23.12.2022, on its own merits and pass appropriate orders in accordance with law, within a period of six (6) 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.

5. With the above direction, the Writ Petition stands disposed of. No costs.

08.11.2023

Index:Yes/No
Speaking order/Non-speaking order
KST

To

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M.S.RAMESH,J.

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