



W.P.No.31973 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.31973 of 2023
and W.M.P.No.31561 of 2023

C.Jothivel

... Petitioners

Vs.

1.The Superintending Engineer
Office of the Superintending Engineer
TANGEDCO, Kallakurichi Electricity
Distribution Circle, Kallakurichi.

2.The Chief Engineer (Personnel)
TANGEDCO, Anna Salai, Chennai-600 002.

... 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 place the petitioner in Serial No.41 after the name of Mr.P.Banugopan in the panel list of the 1st respondent in Ku. a. No. 0375/ Me. Pa. Po/ Ka. Mi. Pa. Va/ Kallai. Ni.Pi.I /u.2/Ko.Mi.A.O.Mu.Pa/2023 dated 31.08.2023 by considering the representation of the petitioner dated 12.10.2023.

For Petitioner : Mr.Na.Malai Saravanan

For Respondents : Mr.K.Rajkumar, Standing Counsel



W.P.No.31973 of 2023

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 12.10.2023, seeking for re-fixation of seniority. 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.

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 12.10.2023, on its own merits and pass appropriate orders in accordance with



W.P.No.31973 of 2023

law, within a period of eight (8) 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. Connected miscellaneous petition is closed.

08.11.2023

Index:Yes/No

Speaking order/Non-speaking order

KST

To

1.The Superintending Engineer
Office of the Superintending Engineer
TANGEDCO, Kallakurichi Electricity
Distribution Circle, Kallakurichi.

2.The Chief Engineer (Personnel)
TANGEDCO, Anna Salai, Chennai-600 002.



WEB COPY



W.P.No.31973 of 2023

M.S.RAMESH, J.

KST

W.P.No.31973 of 2023

08.11.2023