



W.P.(MD).No.18501 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.07.2023

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.18501 of 2023

T.Appadurai

... Petitioner

Vs.

**1.Tamil Nadu Generation of Electricity and Distribution
(TANGEDCO),
Represented by its Chairman,
No.144, Anna Salai,
Chennai-600 002.**

**2.The Chief Engineer (Personnel),
TANGEDCO,
No.144, Anna Salai,
Chennai-600 002.**

**3.The Chief Engineer (Distribution),
Trichy Region,
TANGEDCO,
Thennur,
Trichy-620 017.**

**4.The Superintending Engineer (Distribution),
Pudukkottai Distribution Circle,
TANGEDCO,
Pudukkottai,
Pudukkottai District.**

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representation, dated 17.05.2023 to reinstate the petitioner to service in the minimum time scale for a period of 3 years without back wages in the light of the first respondent's proceedings in B.P.(F.B.)No.27 (Administrative Branch), dated 07.11.2002 and the judgment of this Court in W.P(MD).No.13474 of 2013, dated 18.11.2021.

For Petitioner : Mr.G.Balumahendran

For Respondents : M/s.M.Parameswari
Standing Counsel

ORDER

The present writ petition has been filed seeking direction to the respondents to consider the petitioner's representation, dated 17.05.2023 to reinstate the petitioner to service in the minimum time scale for a period of 3 years without back wages in the light of the first respondent's proceedings in B.P.(F.B.)No.27 (Administrative Branch), dated 07.11.2002 and the judgment of this Court in W.P(MD).No.13474 of 2013, dated 18.11.2021.

2. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.



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3. The petitioner initially joined the fourth respondent Office on 15.06.1989 as Contract Labourer and worked up to 30.04.1995. He made a representation, dated 17.05.2023 to reinstate him in service with the minimum time scale for a period of three years without any back wages in the light of first respondent proceedings in Per.B.P.(F.B)No.27, dated 07.11.2002. However, the said representation was not considered. Hence, this writ petition came to be filed.

4. 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 made by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking the extraordinary powers under Article 226 of the Constitution of India.

5. It is made clear that without going into the merits of this case, this Court is inclined to direct the respondents to consider the representation of the



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petitioner, dated 17.05.2023 within a period of twelve (12) weeks from the date of receipt of a copy of this order.

6. With the above said observation, this writ petition stands disposed of.

There shall be no order as to costs.

31.07.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes
BTR

To

1.The Chairman,
The Tamil Nadu Generation of Electricity and Distribution
(TANGEDCO),
No.144, Anna Salai,
Chennai-600 002.

2.The Chief Engineer (Personnel),
TANGEDCO,
No.144, Anna Salai,
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3.The Chief Engineer (Distribution),
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4.The Superintending Engineer (Distribution),
Pudukkottai Distribution Circle,
TANGEDCO,
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Pudukkottai District.

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