



W.P.(MD).No.20133 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.08.2023

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.20133 of 2023

K.Thiyagarajan

... Petitioner

Vs

1. The Chief Engineer (Personnel),
Tamil Nadu Generation and Distribution Corporation Ltd.,
No.144, Anna Salai, Chennai.
2. The Superintending Engineer,
Trichy Electricity Distribution Circle / Metro
Tamil Nadu Generation and Distribution Corporation Ltd.,
Tirchirappalli 620 020.

... Respondents

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 take necessary action regarding the petitioner's representation, dated 21.07.2018 judiciously and re-instate the petitioner in service forthwith as ordered previously by this Court.

For Petitioner : Ms.V.Jeya Rani



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For Respondents : Ms.M.Parameswari
Standing Counsel

ORDER

The present writ petition has been filed seeking a direction to the respondents to take necessary action regarding the petitioner's representation, dated 21.07.2018 judiciously and re-instate the petitioner in service forthwith, as ordered by this Court earlier.

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

3.Heard, Ms.V.Jeya Rani, learned counsel appearing for the petitioner and Ms.M.Parameswari, learned Standing Counsel appearing for the respondents. Perused the materials on record.

4.The petitioner was appointed as Foreman Grade I at TANGEDCO, Trichy. As per the order passed by the Superintendent Engineer in Memo No.203/Adm-IV/A1/F.DVAC/2014, dated 26.05.2014, the petitioner is under suspension from the service, Already the petitioner has given his



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explanation on 21.07.2018, to reinstate him in service. However, the said representation was not considered so far. Hence, the writ petition came to be filed.

5. 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.

6. It is made clear that without going into the merits of this case, this Court hereby directs the respondents to consider the representation of the petitioner, dated 21.07.2018 and pass appropriate orders, in accordance with law, within a period of twelve (12) weeks, from the date of receipt of a copy of this order.



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7. Accordingly, this writ petition stands disposed of. There shall be

no order as to costs.

18.08.2023

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

PNM

To

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L.VICTORIA GOWRI, J.

PNM

ORDER IN
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