



W.P.(MD)No.7299 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.04.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD)No.7299 of 2024

A.Sakkammal

.. Petitioner

Vs.

1. The Chairman Cum Managing Director,
TANGEDCO, 6th Floor,
TANTRANSCO Building,
144, Anna Salai,
Chennai 600 002.

2. The Chief Engineer (Personnel),
Tamil Nadu Electricity Board,
No.100, Anna Salai,
Chennai - 600 002.

3. The Superintending Engineer,
Thoothukudi Electricity Distribution Circle,
Thoothukudi.

4. The Assistant Engineer,
TNEB/TANGEDCO,
Saveyarpuram,
Canon Street,
Thoothukudi District.

.. Respondents



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Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 3rd respondent to consider the representation of the petitioner dated 09.01.2023 and 03.02.2024 and to appointment the petitioner on compassionate grounds on the sudden demise of the petitioner's husband, namely Annamalai, son of Thalavai Raj, who was working as the Wire Man in the 4th respondent office for the past 19 years, within stipulated time fixed by this Court.

For Petitioner : Mr.S.Vanchinathan

For Respondents : Mr.S.Arivalagan
Standing Counsel

ORDER

The petitioner has filed this writ petition seeking direction to the respondents to disburse the terminal benefits and pension arrears of her husband along with appropriate interest on such delayed payment of terminal benefits.

2. Heard Mr.S.Vanchinathan, learned counsel for the petitioner and Mr.S.Arivalagan, learned Standing counsel for the respondents.



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3. The petitioner's husband, who was working as Wire Man in the fourth respondent office/Tamilnadu Electricity Board, died on 08.04.2021 while he was in service. The death cum terminal benefits of the deceased have been settled to the petitioner/his wife. Since the only breadwinner of the family died during service, the petitioner has given representations to the respondents on 09.01.2023 and 03.02.2024 respectively, seeking appointment on compassionate grounds. Since the said representations have not been considered, the present writ petition has been 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 them to consider the same on their 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. The failure on the part of the Authority had prompted the petitioner to file this petition seeking relief through issuance of writ of mandamus. As the petitioner has made out a



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case for invoking the extraordinary powers of this Court under Article 226 of the Constitution of India, the respondents are required to be given with a direction to consider the representation of the petitioner within a specified time frame.

5. In the light of the above observations, there shall be a direction to the respondents herein to consider the petitioner's representation dated 03.02.2024 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 gone into the merits of the claim of the petitioner and it is open to the respondents to consider the same on its own merits.

6. With the above direction, this Writ Petition is **disposed of**.

No costs.

10.04.2024

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



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R.N.MANJULA,J.

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