



W.P.(MD)No.15689 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 12.07.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD)No.15689 of 2024

K.A.Adhithan

.. Petitioner

Vs.

1. The Chairman cum Managing Director,
TANGEDCO
144, Anna Salai,
Chennai-2.

2.The Superintendent Engineer,
TANGEDCO,
Thiruvarur.

3.The Executive Engineer,
Office of the Executive Engineer,
TANGEDCO,
Mannargudi.

... 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 appoint the petitioner in compassionate ground by considering his application sent to the 2nd respondent on 27.02.2024 within stipulated time.



WEB COPY



W.P.(MD)No.15689 of 2024

For Petitioner : Mr.T.Augustin Ebenezer

For Respondents : Mr.B.Ramanathan
Standing Counsel

ORDER

Heard Mr.T.Augustin Ebenezer, learned counsel appearing for the petitioner and Mr.B.Ramanathan, learned Standing counsel appearing for the respondents.

2. The petitioner's father, who was working in the respondent Department, died in harness on 18.11.2021. The petitioner, being the legal heir of the deceased father, has made an application to the 3rd respondent on 16.07.2023 for appointment on compassionate ground. The 3rd respondent did not take any action on the said application. Hence, the petitioner has made another application to the 2nd respondent on 27.02.2024. Since the second representation also not considered so far, the petitioner has filed this writ petition seeking a direction to the respondents to consider his representation.

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 the



W.P.(MD)No.15689 of 2024

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. The failure on the part of the authority had prompted the petitioner to file this petition for seeking relief through issuance of Writ of Mandamus. As the petitioner has made out a 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.

4. In the light of the above observations, there shall be a direction to the respondents herein to consider the petitioner's application and dated 27.02.2024 on its own merits and pass appropriate orders in accordance with law, after making due enquiry, within a period of four 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 case or the claim of the petitioner and it is open to the 2nd respondent to consider the same on its own merits.



W.P.(MD)No.15689 of 2024

6. With the above direction, this writ petition is **disposed of**. No

costs.

12.07.2024

Index : Yes / No

NCC : Yes / No

PJL

To

1. The Chairman cum Managing Director,
TANGEDCO
144, Anna Salai,
Chennai-2.

2. The Superintendent Engineer,
TANGEDCO,
Thiruvavarur.

3. The Executive Engineer,
Office of the Executive Engineer,
TANGEDCO,
Mannargudi.



WEB COPY



W.P.(MD)No.15689 of 2024



WEB COPY



W.P.(MD)No.15689 of 2024

R.N.MANJULA, J.

PJL

W.P.(MD)No.15689 of 2024

12.07.2024