



WP(MD). No.18924 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 10/06/2024

CORAM

The Hon`ble Ms.Justice R.N.MANJULA

WP(MD). No.18924 of 2023

Petchiraja

... Petitioner

Vs

1.The Chief Engineer (Personnel),
Tamilnadu Generation and Distribution Corporation Limited
(Tangedco),8th Floor, K.R.R.Maligai,
No.144, Annasalai, Chennai-600022..

2. The Superintending Engineer,
(Purchase and Administration),
Thoothukudi Thermal Power Station,
Thoothukudi District..

... 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 herein to appoint the petitioner in any suitable job on the basis of the application submitted by the petitioner dated 18.02.2022 under the compassionate grounds.

For Petitioner : M/s. Mandhiralingeswaran .S,
For Respondents : Mr.S.Arivalagan



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ORDER

The writ petition has been filed for a mandamus to direct the respondents herein to appoint the petitioner in any suitable job on the basis of the application submitted by the petitioner dated 18.02.2022 under the compassionate grounds.

2. Heard the learned counsel for the petitioner and the learned standing counsel for the respondents.

3. The petitioner was toddler at the time when his father died in the year 2003. His father was working as a Helper in the respondent corporation and he died, while in harness. Hence, the petitioner has submitted an application to the respondents for compassionate appointment. However, his application was rejected stating that there is a delay in filing the application. It is their case that since the petitioner was minor at the time of the death of his father, they were unable to give the application.



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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 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. 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.

5. In the light of the above observations, there shall be a direction to the respondents herein to consider the petitioner's application dated 18.02.2022 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



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it is open to the respondents to consider the same on its own merits.

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

10.06.2024

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TO

1.The Chief Engineer (Personnel),
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No.144, Annasalai, Chennai-600022..

2. The Superintending Engineer,
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Thoothukudi District..



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R.N.MANJULA,J

RR

**ORDER
IN
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