



WP(MD). No.22230 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.22230 of 2023

Saravanakumar

... Petitioner

Vs

1. The Superintending Engineer,
(Distribution), Tangedco, Tirunelveli
Distribution Circle, Tirunelveli District 627 011.

2. The Assistant Engineer,
Tangedco,
Kadayanallur Sub Station,
Tenkasi District.

... Respondents

PRAYER :-Writ Petition filed under Article 226 of Constitution of India, praying this Court to issue of Writ of Mandamus directing the 1st respondent to consider the petitioners application dated 25.06.2020 for his compassionate appointment of his father Karuppasamys death within a period of stipulated time limit as fixed by this Court.

For Petitioner : Mr.N. Palaniyandi,
For Respondents : Mr.B.Ramanathan



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ORDER

The writ petition has been filed for a mandamus to direct the 1st respondent to consider the petitioner's application dated 25.06.2020 for his compassionate appointment of his father Karuppasamys death within a period of stipulated time limit as fixed by this Court.

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

3. The petitioner's father, who was working as a Foreman in the respondent Corporation, died on 14.07.2017 while in harness. Hence, the petitioner has submitted an application to the respondents for compassionate appointment. However, his application was kept pending without any decision thereon. Hence, the petitioner is before this Court with this writ petition.

4. It is needless to point out that whenever a representation of this



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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 25.06.2020 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 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

RR

TO

1. The Superintending Engineer,
(Distribution), Tangedco,
Tirunelveli Distribution Circle,
Tirunelveli District 627 011.
2. The Assistant Engineer,
Tangedco,
Kadayanallur Sub Station,
Tenkasi District.



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R.N.MANJULA,J

RR

**ORDER
IN
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