



W.P.(MD).No.22413 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.01.2024

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P(MD)No.22413 of 2023

P.Thayakumar

... Petitioner

Vs.

**1.The Chairman cum Managing Director,
Tamil Nadu Generation and
Distribution Corporation Ltd.,
144, Anna Salai,
Chennai-600 002.**

**2.The Chief Engineer (Personnel),
Tamil Nadu Generation and
Distribution Corporation Ltd.,
144, Anna Salai,
Chennai-600 002.**

... 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 1 and 2 to consider the representation, dated 24.07.2023 and to consider the petitioner for the post of Junior Engineer / Electrical II Grade.

For Petitioner : Mr.S.Ramsundarvijayraj

**For Respondents : M/s.M.Parameshwari
Standing Counsel**



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ORDER

The present writ petition has been filed seeking direction to the respondents 1 and 2 to consider the representation, dated 24.07.2023 and to consider the petitioner for the post of Junior Engineer / Electrical II Grade.

2. The petitioner has joined as Field Assistant in TANGEDCO in the year 2009 and after a period of 2 years of probation, he was regularized in the year 2011. After working for a period of 5 years as Field Assistant, he was promoted to the post of Commercial Inspector on 01.02.2018. The petitioner had sent a representation dated 24.07.2023 for considering him to be promoted to the post of Junior Engineer / Electrical II Grade. Since the same was not considered, the present writ petition came to be filed.

3. The learned Standing Counsel appearing for the respondents submitted that the representation would be considered in accordance with law.

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 respondent to consider the same on its own merits and pass appropriate orders in one way or



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other instead of keeping the same pending indefinitely. As such, non-consideration of the representation made by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking the extraordinary powers under Article 226 of the Constitution of India.

5. Without going into the merits of this case, this Court direct the respondents to consider the representation of the petitioner, dated 24.07.2023 and pass appropriate orders in accordance with law within a period of twelve (12) weeks from the date of receipt of copy of this order.

6. With the above said observations, this Writ Petition stands disposed of. No costs.

24.01.2024

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

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To

1.The Chairman cum Managing Director,
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2.The Chief Engineer (Personnel),
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L.VICTORIA GOWRI, J.

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