



W.P.(MD)No.29838 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.12.2024

CORAM:

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

W.P.(MD)No.29838 of 2024

Rathika

... Petitioner

Vs.

1. The Chairman and Managing Director,
Tamilnadu Electricity Generation and Distribution Corporation (Tangedco),
Chennai.
2. The Superintendent Engineer,
Tamilnadu Electricity Generation and Distribution Corporation (Tangedco),
Sivagangai District.
3. The Executive Engineer,
Tamilnadu Electricity Generation and Distribution Corporation (Tangedco),
Sivagangai District.
4. The Assistant Executive Engineer,
Tamilnadu Electricity Generation and Distribution Corporation (Tangedco),
Sivagangai District.
5. The Panchayat President,
Amaravathi Puthur,
Karaikudi Taluk,
Sivagangai District.
6. The Inspector of Police,
Somanathapuram PS.,
Sivagangai District.
(Crime No.52/2023)

... Respondents



W.P.(MD)No.29838 of 2024

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to grant compensation to the petitioner's deceased husband namely Balakrishnan by Electrocutation, based on the petitioner's representation dated 25.11.2023 within stipulated time fixed by this Court.

For Petitioner : Mr.J.Velmurugan
For Respondents : Mr.S.Deenadhayalan (R1 to R4)
Standing Counsel
Mr.D.Sadiq Raja (R5)
Additional Government Pleader
Mr.K.Gnanasekaran (R6)
Government Advocate

ORDER

This writ petition has been filed seeking for a direction to the respondents to grant compensation to the petitioner's deceased husband namely Balakrishnan, died due to electrocution, based on the petitioner's representation dated 25.11.2023 within stipulated time fixed by this Court.

2. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.



W.P.(MD)No.29838 of 2024

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3. Heard the learned counsel on both sides and carefully perused the entire materials available on record.

4. The petitioner's husband was working as a street light operator and when he was on the duty of repairing street light, he got electrocuted. Hence, the petitioner has sent a representation on 25.11.2023 seeking for compensation. Since the same has not been considered, this writ petition has been filed.

5. 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 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.

6. In view of the same, without going into the merits of the case, this Court hereby direct the respondents to consider the petitioner's representation



W.P.(MD)No.29838 of 2024

dated 25.11.2023 and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of copy of this order.

7. With the above direction, the Writ Petition stands disposed of. There shall be no order as to costs.

11.12.2024

NCC : Yes / No
Index : Yes / No
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W.P.(MD)No.29838 of 2024

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W.P.(MD)No.29838 of 2024

L.VICTORIA GOWRI, J.

Sm

Order made in
W.P.(MD)No.29838 of 2024

Dated
11.12.2024