



W.P(MD)No.28804 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.10.2025

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

Writ Petition(MD)No.28804 of 2025

and

W.M.P(MD)Nos.22398 & 22400 of 2025

D.Chanderakandeeban

..Petitioner

Vs

1.The Executive Engineer,
TANGEDCO, Operation and Maintenance,
Pattukottai,
Thanjavur District.

2.The Assistant Executive Engineer,
TANGEDCO, Operation and Maintenance,
Rural, Pattukkottai,
Thanjavur District.

3.The Assistant Engineer,
TANGEDCO, Operation and Maintenance,
Rural, Pattukkottai,
Thanjavur District.

4.Manivasan

..Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for the records relating to the impugned order dated 06.09.2025 passed by the 2nd respondent vide proceedings in Ka.No.Se.Po/EPa/Pura/Pattu/Ko.Kattu/A.No.72/2025 and quash the same as illegal and consequently direct the respondents 1 to 3 to conduct the enquiry afresh by affording sufficient opportunity to the parties concerned in within a stipulated time period accordance with law.

For Petitioner : Mr.C.Senthil Murugan

For Respondents : Mr.S.Deenadhayalan
Standing Counsel

ORDER

This writ petition has been filed seeking issuance of a Writ of Certiorarified Mandamus to call for the records relating to the impugned order dated 06.09.2025 passed by the second respondent in Ka.No.Se.Po/EPa/Pura/Pattu/Ko.Kattu/A.No.72/2025, quash the same as illegal, and consequently direct the respondents 1 to 3 to conduct a fresh enquiry by affording sufficient opportunity to the parties concerned within a stipulated time period, in accordance with law.

2. Heard the learned counsel for the petitioner and the learned Standing Counsel appearing for the respondents. Perused the materials available on record.



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3. The learned counsel for the petitioner submitted that despite a specific direction issued by this Court in W.P.(MD) No.15094 of 2025, dated 04.06.2025, directing the second respondent to conduct a fresh enquiry after affording an opportunity of hearing to the petitioner, the second respondent has failed to comply with the same. It is contended that the impugned order has been passed without issuing any notice or granting personal hearing to the petitioner. Further, the impugned order is a non-speaking order, passed mechanically, without assigning any valid reasons, and hence, is liable to be set aside.

4. Per contra, the learned Standing Counsel appearing for the respondents submitted that due process has been followed and that the petitioner was aware of the proceedings. It is contended that the second respondent, after considering the available materials, has passed the impugned order, and therefore, there is no illegality warranting interference by this Court.

5. This Court has carefully considered the rival submissions and perused the materials on record.

6. A perusal of the impugned order shows that it does not refer to any notice having been issued to the petitioner, nor does it assign any reasons as to why the petitioner's submissions were not taken into account. Further,



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the impugned order has been passed in clear contravention of the direction issued by this Court in the earlier writ petition, which specifically required the authority to afford an opportunity of hearing to the petitioner.

7. Considering the fact that the impugned order is non-speaking and violative of the principles of natural justice, this Court is of the view that the same cannot be sustained.

8. Accordingly, without going into the merits of the case, the impugned order dated 06.09.2025 is set aside. The matter is remitted back to the second respondent for fresh consideration. The second respondent shall issue notice to the petitioner, afford him a reasonable opportunity of personal hearing, and thereafter pass a speaking and reasoned order on merits and in accordance with law. The said exercise shall be completed within a period of one month from the date of receipt of a copy of this order.

9. This writ petition is allowed accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

15.10.2025

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

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P.T.ASHA, J.

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