



W.P.(MD)No.30158 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 06.01.2025

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD)No.30158 of 2024
and
W.M.P.(MD)No.25376 of 2024

N.Kumar

... Petitioner

Vs.

1.The Superintending Engineer,
Tamil Nadu Power Distribution Corporation Limited,
Sivagangai – 630 561.

2.The Executive Engineer,
Tamil Nadu Power Distribution Corporation Limited,
Sivagangai -630 561.

3.The Assistant Executive Engineer,
Tamil Nadu Power Distribution Corporation Limited,
Thiruppathur – 630 211,
Sivagangai District.

4.The Assistant Engineer,
Tamil Nadu Power Distribution Corporation Limited,
Thiruppathur – 630 211,
Sivagangai District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 07.12.2024.

For Petitioner	: Mr.R.Paranjothi, M/s.KBS Law Office
For Respondents	: Mr.S.Deenadhayalan Standing Counsel



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ORDER

This Writ Petition is filed, restraining the respondents from installation of electricity transformer in front of the petitioner's shop situated in Door Nos.13/1/39C and 13/1/39D of 13th Ward, Southern side in Madurai Road in Thiruppathur Town and Taluk, Sivagangai District.

2.When the matter was taken up for hearing, the learned Standing Counsel appearing for the respondents submitted that such a representation has not been received by them so far. That apart, it is only a proposal as to the installation of the electricity transformer for managing the electricity fluctuations in that area. However, locality as to the installation of the electricity transformer is not decided so far. Hence, this Writ Petition itself is premature and sought for dismissal of the Writ Petition.

3.Heard the learned counsels on either side and carefully perused the entire materials available on record.

4.A careful perusal of the materials placed before me, would show that the petitioner had obviously made a representation on 07.12.2024.

5.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 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 to 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. Without going into the merits, this Court hereby direct the respondents to consider the petitioner's representation dated 07.12.2024 and pass appropriate orders in accordance with law within a period of four weeks from the date of receipt of copy of this order.

7. Accordingly, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

06.01.2025

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



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L.VICTORIA GOWRI, J.

Mrn

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