



W.P.(MD).No.20870 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.08.2023

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.20870 of 2023

P.Murugan

... Petitioner

Vs

1. The Executive Engineer,
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO),
Sivagangai Road, Court Near Thiruppathur,
Sivagangai District.
2. The Assistant Executive Engineer,
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO),
Sivagangai Road, Court Near Thiruppathur,
Sivagangai District.
3. The Assistant Engineer,
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO),
Sivagangai Road, Court Near Thiruppathur,
Sivagangai District.

... 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 Mandamus, directing the first respondent to issue salary to petitioner pending from March 2023 to till date, on the basis of petitioner representation, dated 11.08.2023.

For Petitioner : Mr. S.Muthukrishnan

For Respondents : Ms.M.Parameswari
Standing Counsel

ORDER

The present writ petition has been filed seeking a direction to the first respondent to issue salary to the petitioner pending from March 2023 to till date, on the basis of petitioner's representation, dated 11.08.2023.

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

3.Heard, Mr.S.Muthukrishnan, learned counsel appearing for the petitioner and Ms.M.Parameswari, learned Standing Counsel appearing for the respondents. Perused the materials on record.



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4.The petitioner was appointed as Helper. Then he was promoted as Wireman, thereafter, as Foreman. While so, he was placed under suspension by the first respondent vide order, dated 23.03.2023. On 11.08.2023, the petitioner made a representation requesting the respondents to revoke the suspension order issued against him and the same was not considered. Hence, the present writ petition came to be 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 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 and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of Constitution of India and direct them to consider the same within a stipulated time.

6.It is made clear that without going into the merits of this case, this Court hereby directs the respondents to consider the representation of the petitioner, dated 11.08.2023 and pass appropriate order, in accordance with



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law, within a period of twelve (12) weeks, from the date of receipt of a copy of this order.

7. Accordingly, this writ petition stands disposed of. There shall be no order as to costs.

31.08.2023

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

PNM

To

1. The Executive Engineer,
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO),
Sivagangai Road, Court Near Thiruppathur,
Sivagangai District.
2. The Assistant Executive Engineer,
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO),
Sivagangai Road, Court Near Thiruppathur,
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3. The Assistant Engineer,
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L.VICTORIA GOWRI, J.

PNM

ORDER IN
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