

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.04.2015

CORAM:

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

W.P.No.10434 and 10435 of 2015

S.Manickam ... Petitioner in W.P.10434/2015
V.Murthy ... Petitioner in W.P.10435/2015

Versus

- 1.The Chief Engineer(Personnel)
Tamil Nadu Generation and
Distribution Corporation Ltd
(TANGEDCO) No.144, Anna Salai
Chennai-600 002
- 2.The Superintending Engineer
Chengalpattu Electricity Distribution Circle
Tamil Nadu Generation and
Distribution Corporatin Ltd., (TANGEDCO)
Chengalpattu ... Respondents
in both the Writ Petitions.

PRAYER: Writ petitions filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus, to direct the 1st respondent to dispose of petitioners' representation dated 16.12.2014 with a time frame.

For Petitioners : Mr.K.Sasindran

सत्यमेव जयते
O R D E R

The Petitioners were appointed as Helper in the Tamil Nadu Electricity Board on 09.09.1987. They were further promoted as Wireman on 04.10.1991 and thereafter, promoted to the post of Commercial Inspector with effect from 10.05.2000 and 08.05.2000 respectively. Thereafter, they were promoted to the post of Foreman Grade-I on 31.03.2008 and subsequently promoted as Special Grade Foreman on 04.09.2014.

2. According to the petitioners, their junior viz., V.Ravindran was promoted to the post of Foreman Grade-I on 12.01.2007 overlooking their seniority.

3. If it is so, the petitioners could have challenged the promotion given to V.Ravindran in the year 2007 itself or within a reasonable time. But, the petitioners have not chosen to challenge the promotion order given to V.Ravindran, who is their junior. However, now, after 7 years, the petitioners have given a representation dated 16.12.2014 seeking to promote them as Foreman Grade-I from the date on which their junior was promoted viz., 12.01.2007.

4. In my view, no new cause of action arose now to give direction to the 1st respondent to consider the petitioner's representation dated 16.12.2014. Further, I am of the view that the prayer in the writ petition cannot be granted in the case of belated representation sent by the petitioners herein, which will give rise to a challenge to the reply given to the said representation. Accordingly, the Writ Petition fails and the same is dismissed. No costs.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

nvsri

To

- 1.The Chief Engineer(Personnel)
Tamil Nadu Generation and
Distribution Corporation Ltd
(TANGEDCO) No.144, Anna Salai
Chennai-600 002
- 2.The Superintending Engineer
Chengalpattu Electricity Distribution Circle
Tamil Nadu Generation and
Distribution Corporatin Ltd., (TANGEDCO)
Chengalpattu

- 1 cc to Mrs.R. Varalakshmi, Advocate, Sr. 19987
2 ccs to m/s.K. Sasindran, Advocate, sr. 19939, 19940

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SAI (CO)
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