

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

W.P.No.21235 of 2015

&

M.P.Nos.1 and 2 of 2015

V.Selvam ... Petitioner

Versus

1. The Chairman
TANGEDCO
Anna Salai, Chennai - 2
2. The Chief Engineer (Personnel)
TANGEDCO
Anna Salai, Chennai - 2
3. The Superintending Engineer
Electricity Distribution Circle
TANGEDCO, Salem ... Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Certiorarified Mandamus to call for the records in proceedings dated 26.03.2015 in Memo No.044943/192/G.59/G.592/2014-7 on the file of 2nd respondent and quash the same in respect of petitioner and consequently direct the respondent to promote the petitioner from the post of Inspector of Assessment to Revenue Supervisor on par with the petitioner juniors promotion date.

For Petitioner : Mr.B.Manoharan

For Respondents : Mr.P.R.Dilip Kumar

O R D E R

By consent, the writ petition itself is taken up for final disposal.

2. The petitioner is working as Inspector of Assessment in the Office of the Junior Engineer (O &M) Gangavalli, Salem District and his next avenue of promotion is Revenue Supervisor (RS). When the second respondent prepared the panel for promotion to the post of Revenue Inspector, the petitioner's name did not find place and the same was communicated to the petitioner vide memo No. 044943/192/G.59/G.592/2014-7 dated 26.03.2015. The petitioner would state that as on the crucial date, namely 20.03.2014, , no charge memo was pending against him and he has been served with charge memo dated 27.06.2014 only on 25.07.2014 for his misconduct under Clause 19(iii), 19(ix) and 19(x) of Standing Orders of the Clerical Workmen engaged in Tamil Nadu Electricity Board. It is further stated that though an Enquiry Officer was appointed, till date no enquiry was conducted. Hence, the petitioner made a representation to the 1st respondent on 22.04.2015. Since no action was taken by the 1st respondent, he came forward to file this writ petition.

3. Though the petitioner has questioned the impugned proceedings in Memo No.44943/192/G.59/G.592/2014-7 dated 26.03.2015, issued by the Chief Engineer (Personnel), the learned counsel for the petitioner has submitted that he would be satisfied if the appeal filed by him before the first respondent on 22.04.2015 is disposed of within a stipulated time.

4. In fact, in the impugned proceedings dated 26.03.2015, it is stated that aggrieved person could make an appeal to the first respondent within a period of two months from the date of receipt of communication.

5. In these circumstances, the writ petition is disposed of directing the first respondent to pass appropriate orders in the appeal filed by the petitioner dated 22.04.2015 on merits and in accordances with law within a period of eight weeks from the date of receipt of a copy of this order. No costs. Consequently, the connected miscellaneous petitions are closed.

-s/d-

Assistant Registrar(CSIII)

dt:28/07/2015

True Copy

Sub-Assistant Registrar

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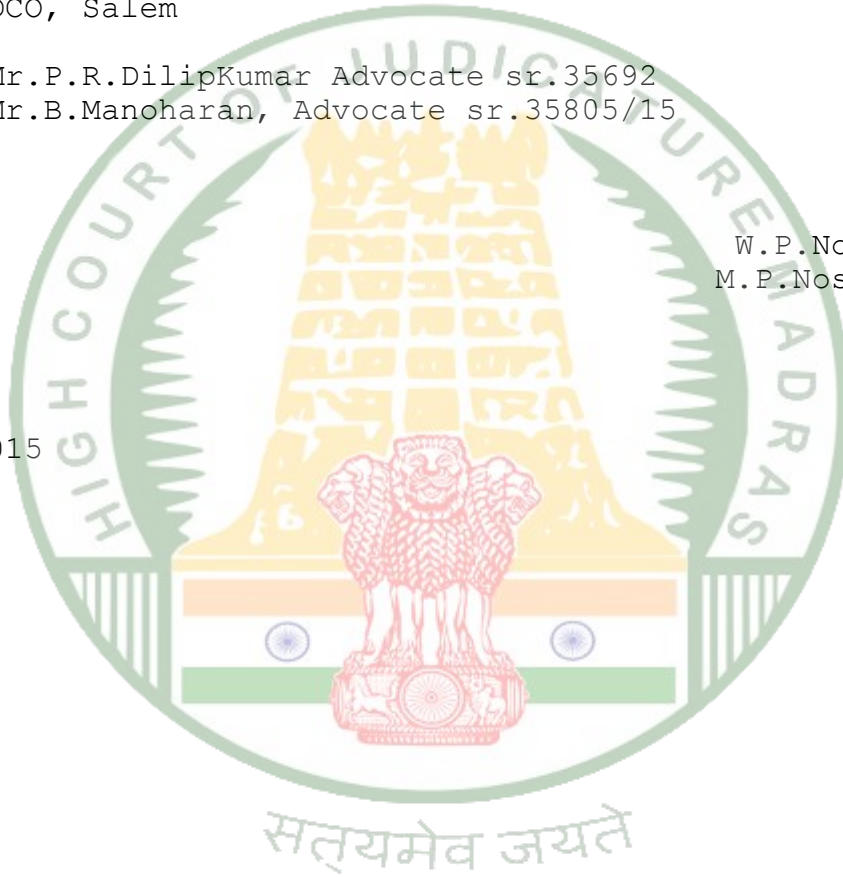
To

1. The Chairman
TANGEDCO
Anna Salai, Chennai - 2
2. The Chief Engineer (Personnel)
TANGEDCO
Anna Salai, Chennai - 2
3. The Superintending Engineer
Electricity Distribution Circle
TANGEDCO, Salem

+1 cc to Mr.P.R.DilipKumar Advocate sr.35692
+1 cc to Mr.B.Manoharan, Advocate sr.35805/15

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