

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

W.P.No.22124 of 2015

K.Nagarajan

... Petitioner

-Versus-

1.The Chief Engineer/Personnel,
Tamil Nadu Generation and Distribution
Corporation Limited,
144, Anna Salai,
Chennai 600 002.

2.The Superintending Engineer,
Tamil Nadu Generation and Distribution
Corporation Limited,
Mettur Electricity Distribution Circle,
Mettur Dam.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India for the relief of issuance of Writ of Mandamus, directing the respondent to grant notional promotion to the petitioner to the post of Assistant Accounts Officer with monetary benefits at par with his junior.

For petitioner : Mr.R.Jaikumar for
M/s.T.Fenn Walter Associates

For respondents : M/S.R.Varalakshmi

ORDER

The petitioner was working as an Accounts Supervisor in the respondent - TANGEDCO. He was eligible for promotion to the post of Assistant Accounts Officer. According to the petitioner, his name was included in the panel relating to promotion to the post of Assistant Accounts Officer in the year 2008. In the mean time, he retired from service on 31.05.2009.

2. It is the claim of the petitioner that when one Mr.P.Chellan, who was similarly placed like the petitioner approached this court by way of writ petition in W.P.No.26673 of 2010 seeking for a mandamus, this court by order dated 14.03.2012 allowed the said

writ petition and directed the respondents therein to promote him notionally as Assistant Accounts Officer and accordingly pay the terminal benefits and pension. The said order is enclosed at page No.21 in the typed set of papers.

3. The grievance of the petitioner is that though he made a representation to the 1st respondent on 02.03.2015 in this regard, the same has not been considered so far. Hence, according to the petitioner, he has no other option except to file this writ petition for appropriate relief.

4. I have heard the submissions made on either side and also perused the records carefully.

5. Considering the limited scope of the prayer sought for in the writ petition and also the fact that representation made by the petitioner for notional promotion is pending with the 1st respondent, without going into the merits of the case, this court directs the 1st respondent to consider the representation of the petitioner dated 02.03.2015 on merits and in accordance with law and pass appropriate orders thereon in the light of the order of this court referred to above and also the proceedings of the Administrative Branch in (Per.) CMD TAGEDCO Proceedings No.142 dated 02.12.2013 within a period of eight weeks from the date of receipt of a copy of this order. This writ petition is, accordingly, disposed of. No costs.

Sd/-
Asst.Registrar (J)

/true copy/

Sub Asst. Registrar

kmk
To

- 1.The Chief Engineer/Personnel, Tamil Nadu Generation and Distribution Corporation Limited, 144, Anna Salai, Chennai-2.
- 2.The Superintending Engineer, Tamil Nadu Generation and Distribution Corporation Limited, Mettur Electricity Distribution Circle, Mettur Dam, Salem District.

+1 cc to Mr.Fenn Walter Associates Advocate sr.37533

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mg(co)
aa13/08/2015