

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.07.2015

CORAM:

THE HONOURABLE MR. JUSTICE D.HARIPARANTHAMAN

Writ Petition No.22499 of 2015

D.Sundaram

... Petitioner

vs.

1.The Chairman cum Managing Director,
Tamil Nadu Generation and Distribution
Corporation (Formerly known as TNEB)
144,Anna Salai,Chennai - 600 002.

2.The Chief Engineer (Personnel)
(TANGEDCO), 144, Anna Salai,
Chennai - 600 002.

3.The Secretary,
TANGEDCO, 144, Anna Salai,
Chennai - 600 002.

... Respondents

Petition filed under Article 226 of the Constitution of India for the issuance of writ of Mandamus, directing the respondent to effect notional promotion with effect from 01.12.1996 as Assistant Accounts Officer, re-fix his pay and consequently pay him the arrears and all other attendant benefits based on his representation dated 05.03.2015.

For Petitioner : Mr.G.B.Saravanabhavan

For Respondents : Ms.R.Varalakshmi

O R D E R

According to the petitioner, a Board Proceeding in B.P.No.33, dated 16.06.1993 was issued for Direct Recruitment / Internal Selection to the post of Assistant Accounts Officer only from CA/ICWA candidates. The petitioner possess M.Com degree and according to him, M.Com degree is a higher qualification than ICWA. It is the grievance of the petitioner that his application for Internal Selection to the post Assistant Accounts Officer was not considered and no reply was sent to him. In the mean time, the petitioner reached the age of superannuation on 30.04.2015.

2. The petitioner has now come up with this writ petition seeking for a direction to the respondents to effect notional promotion with effect from 01.12.1996 as Assistant Accounts Officer, re-fix his pay and consequently pay him the arrears and all other attendant benefits based on his representation dated 05.03.2015.

3. In the representation, dated 05.03.2015, the petitioner has requested the respondents to consider his representation dated 12/93. The petitioner has not chosen to challenge either B.P.No.33 or the promotion given to those persons between 1993 and 1996. Instead, he has come forward with this writ petition seeking to dispose of his representation after twenty years. I do not find any merit in the writ petition. The writ petition fails and accordingly, the same stands dismissed. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

svki

To

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Tamil Nadu Generation and Distribution
Corporation (Formerly known as TNEB)
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2.The Chief Engineer (Personnel)
(TANGEDCO), 144, Anna Salai,
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3.The Secretary,
TANGEDCO, 144, Anna Salai,
Chennai - 600 002.

+1cc to Mr.G.B.Saravanabhavan, Advocate, S.R.No.38277
+1cc to Ms.R.Varalakshmi, Advocate, S.R.No.38169

W.P.No.22499 of 2015

KGK(CO)
CA(21/08/2015)