

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.08.2015

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.25316 of 2015

P.Elangovan

.. Petitioner

Vs.

1. The Chief Engineer (Personnel)
Tamilnadu Electricity Board,
144 Anna Salai,
Chennai-600 002.

2. The Chief Engineer
Distribution, Chennai Region (North)
Tamilnadu Electricity Board
144, Anna Salai,
Chennai-600 002.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to dispose of the representation dated 21.7.2015 of the petitioner, pending on the file of the first respondent.

For Petitioner : Mr.A.Kumana Raja

For Respondents : Mrs.R.Varalakshmi,
Standing Counsel for TNEB

O R D E R
सत्यमेव जयते

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

2. The petitioner would state that the petitioner has rendered 25 years of hard, sincere and unblemished service and at present working as Junior Engineer, Electrical Grade-I. The petitioner would further state that the respondent has initiated proceedings dated 11.05.2014 with regard to certain lapses on his part and the petitioner filed W.P.No.11556/2013 on the file of this Court and obtained interim orders to consider his claim for promotion and the same was intimated by the first respondent, vide memo dated 27.07.2013 and subsequently, another memo dated 29.10.2013 was issued to the petitioner stating that on account of pendency of charges framed under 8(b) of the Discipline and Appeal Regulations, promotion to the post of Assistant

Executive Engineer/Electrical was not issued to him. The petitioner, aggrieved by the said order, preferred a departmental appeal before the second respondent, who, vide proceedings dated 25.06.2015, has set aside the said order by directing the Superintending Engineer/Chennai Electricity Distribution Circle/North to conduct fresh enquiry and also made it clear that till the disposal of the same, no recovery to be effected. The grievance expressed by the petitioner is that in the light of the above said order dated 25.06.2015, there is no stigma exists in favour of the petitioner and hence, there cannot be any impediment to consider his claim for promotion and in this regard, the petitioner has submitted a representation dated 21.07.2015 to the first respondent and since no response is forthcoming, came forward to file this writ petition.

3. Heard the submissions of the learned counsel appearing for the petitioner and Mrs.R.Varalakshmi, learned Standing Counsel, who accepts notice for the respondents.

4. This Court, taking into consideration the limited scope of prayer sought for and without going in to the merits of the petitioner's representation dated 21.07.2015, directs the first respondent to consider and dispose of the petitioners' representation dated 21.07.2015 and pass orders on merits and in accordance with law within a period of three weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner.

5. This Writ Petition is disposed of accordingly. No costs.

jvm

s/d-
Assistant Registrar(CS-IV)

True Copy

Sub-Assistant Registrar

To

1. The Chief Engineer (Personnel)
Tamilnadu Electricity Board,
144 Anna Salai
Chennai-600 002.

2. The Chief Engineer
Distribution, Chennai Region (North)
Tamilnadu Electricity Board
144, Anna Salai, Chennai-600 002.

+ 1 cc to Ms.R.Varalakshmi, Advocate SR 43067

+ 1 cc to Mr.A.Kumararaja, Advocate SR 43207

tej(co)
prk19/8

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