

In the High Court of Judicature at Madras

Dated: 08.09.2015

Coram

The Honourable Mr.JUSTICE M.SATHYANARAYANAN

Writ Petition No.28150 of 2015

S.Muniyandi

.... Petitioner

Vs

1. The Tamil Nadu Water Supply and Drainage Board,
rep. by its Chairman,
31, Kamarajar Salai, Chepauk,
Chennai - 600 005.
2. The Managing Director,
The Tamil Nadu Water Supply and Drainage Board,
31, Kamarajar Salai, Chepauk,
Chennai - 600 005.
3. The Chief Engineer,
The Tamil Nadu Water Supply and Drainage Board,
37, Medical College Road, Eswari Nagar,
Thanjavur - 613 007.
4. The Secretary to Government,
Municipal Administration and Water Supply Department,
St.George Fort, Chennai - 600 009.

.... Respondents

PETITION under Article 226 of The Constitution of India praying for issuance of Writ of Mandamus directing the second respondent to dispose of the petitioner's representation dated 11.07.2015 on merits with a time framed as may be fixed by this Court.

For Petitioner : Mr.S.Sivakumar for M/s.Law Square

For Respondents: Ms.S.Thamizharasi - R1 to R3
Mr.V.Subbiah, Spl.G.P. - R4

O R D E R

By consent, the Writ Petition itself is taken up for final disposal.

2. The petitioner, while working as the Assistant Engineer, RWS Division, Ramanathapuram District, was visited with a disciplinary proceedings under Regulation 9(b) of Tamil Nadu Water Supply and Drainage Board (TWAD) Employees (Discipline and Appeal) Regulations, 1972 and the Disciplinary Authority has passed the final order dated 21.9.2012 vide B.P.No.86, in and by which, he was awarded with the punishment of stoppage of increment for one year with cumulative effect and a sum of Rs.5,99,992/- was also ordered to be recovered from the petitioner, being the 50% loss suffered by the Board.

3. The grievance now expressed by the petitioner is that though the currency of punishment is over, his claim for promotion to the Assistant Executive Engineer has been overlooked and not considered and in this regard, has submitted representations dated 07.01.2015, 28.05.2015 and 11.7.2015 to the second respondent and since no orders have been passed, the petitioner came forward to file this Writ Petition.

4. Heard the submissions of the learned counsel appearing for the petitioner, Ms.S.Thamizharasi, learned counsel, who accepts notice on behalf of respondents 1 to 3 and Mr.V.Subbiah, learned Special Government Pleader, who accepts notice on behalf of the fourth respondent.

5. This Court, taking into consideration the above facts and circumstances, without going into the merits of the claim of the petitioner either in this Writ Petition or in the representation given by the petitioner, directs the second respondent to consider and pass orders on the representations of the petitioner dated 07.01.2015, 28.05.2015 and 11.07.2015 on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

The Writ Petition is disposed of accordingly. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1. The Chairman, The Tamil Nadu Water Supply and Drainage Board,
31, Kamarajar Salai, Chepauk, Chennai - 600 005.
2. The Managing Director,
The Tamil Nadu Water Supply and
Drainage Board, 31, Kamarajar Salai, Chepauk,
Chennai - 600 005.
3. The Chief Engineer,
The Tamil Nadu Water Supply and
Drainage Board, 37, Medical College Road, Eswari Nagar,
Thanjavur - 613 007.
4. The Secretary to Government,
Municipal Administration and
Water Supply Department,
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+1 cc to the Government Pleader High Court Madras
sr.48975/15

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