

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.09.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.29524 of 2015

P.Elangovan

... Petitioner

Vs.

- 1 The Director (Generation & Distribution) TANGEDCO Tamilnadu Electricity Board 800 Anna Salai Chennai- 600 002.
 - 2 The Chief Engineer HYDRO TANGEDCO Tamilnadu Electricity Board 800 Anna Salai Chennai-02.
 - 3 The Superintending Engineer TANGEDCO/TNEB Ltd. Kunda Generation Circle Kunda Palam Manjur Nilgiris District.
 - 4 The Executive Engineer Operation/TNEB/TANGEDCO Moyar Power House. Nilgiris District.
 - 5 The Assistant Executive Engineer Operation//TNEB/TANGEDCO Moyar Power House. Nilgiris District.
- ... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 3rd respondent to dispose the representation of the petitioner dated 04.09.2012 and also direct the 3rd respondent to disburse petitioner's salary wrongly withheld by him.

For Petitioner : Mr.A.Kumana Raja
For Respondents : Mr.P.R.Dhilipkumar

O R D E R

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

2.The petitioner at present is working as Junior Engineer/Shift/ Electrical Grade I at Moyar Power House, Nilgiris District and

claims to have rendered hard and blemishless service to the satisfaction of the superiors.

3.The petitioner would further state that he was also put as additional incharge of Moyar Outdoor Electrical Section from 21.06.2010 to 28.09.2010 for a period of 100 days and on account of the harsh climatic conditions and geographical change, he was suffering illness and availed medical leave for 40 days and thereafter, submitted medical certificate for a period of 25 days and for four more days and also submitted fitness certificate. Though it was accepted, necessary proposals have not been forwarded to the higher authorities so as to enable him to avail salary during the leave period and the petitioner in this regard has submitted 16.04.2012 and since no orders have been passed filed W.P.Nos.19823 and 19824 of 2012 and this Court vide order dated 30.07.2012 has directed the second respondent therein (3rd respondent herein) to consider and dispose of the petitioner's representation in accordance with law within a stipulated time frame and he has also made a further representation dated 04.09.2012 and inspite of it no orders have been passed and hence, came forward to file this writ petition.

4.The learned counsel appearing for the petitioner would submit that in terms of order medical leave was sanctioned, but however, the leave salary is yet to be disbursed and therefore, the petitioner is constrained to file this writ petition.

5.This Court heard the submissions of Mr.P.R.Dhilipkumar, learned counsel who accepts notice on behalf of the respondents.

6.Though the petitioner prayed for a larger relief, this Court without going into the merits of the claim projected by the petitioner in this writ petition, permits the petitioner to submit one more representation to the third respondent by enclosing a copy of this order as well as the earlier representation dated 04.09.2012 within a period of two weeks from the date of receipt of a copy of this order and the third respondent on receipt of the same, is directed to consider and dispose of the same on merits and in accordance with law and pass orders within a period of eight weeks thereafter and communicate the decision taken, to the petitioner.

7.The writ petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

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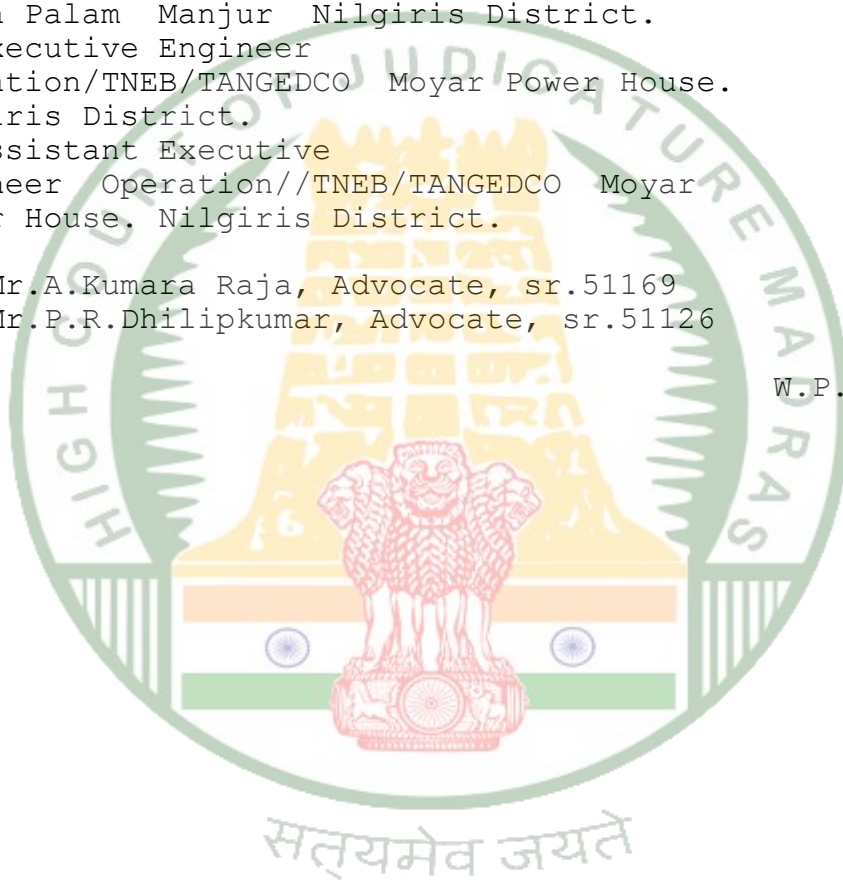
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+1 cc to Mr.A.Kumara Raja, Advocate, sr.51169

+1 cc to Mr.P.R.Dhilipkumar, Advocate, sr.51126

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