

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.10.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.31066 of 2015

V.Palaniappan

... Petitioner

Vs.

- 1 The Superintending Engineer
Erode Electricity Distribution Circle
TANGEDCO General No.948 E.V.N. Salai
Erode District.
- 2 The Chairman
Tamil Nadu Electricity Board Anna Salai
Chennai-02. ... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to consider the petitioners representation dated 13.07.2015 and settle all the retirement benefits due to the petitioner forthwith.

For Petitioner : Mr.V.Bharathidasan
For Respondents : Mr.P.R.Dhilip Kumar

O R D E R

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

2.The petitioner was working as Helper in the services of the then Tamil Nadu Electricity Board, Sivagiri Distribution Circle, Erode District for nearly 28 years and he was removed from service on 24.10.1998 alleging that he was un-authorisedly absent from duty. The petitioner challenging the legality of the order filed departmental appeal and it was dismissed vide order dated 30.01.1999 and so also the mercy petition which came to be dismissed on 13.05.2005.

3.The grievance expressed by the petitioner is that though he has been removed from service alleging that he was un-authorisedly absent from duty, the fact remains that he rendered 28 years of service and therefore, he is entitled to the pensionary benefits and other terminal benefits and in this regard, has submitted representation dated 13.07.2015 to the first respondent and since no orders have been passed, came forward to file this writ petition.

4.Heard the submissions of Mr.V.Bharathidasan, learned counsel appearing for the petitioner and Mr.P.R.Dhilip Kumar, learned counsel who accepts notice on behalf of the respondents.

5.This Court taking into consideration, the limited scope of the prayer sought for by the petitioner and without going into the merits of the same, directs the first respondent to consider and dispose of the petitioner's representation dated 13.07.2015 on merits and in accordance with law and pass orders within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

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

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-s/d-

Assistant Registrar(CS-II)

True Copy

Sub-Assistant Registrar

To

1 The Superintending Engineer
Erode Electricity Distribution Circle
TANGEDCO General No.948 E.V.N. Salai
Erode District.

2 The Chairman
Tamil Nadu Electricity Board Anna Salai
Chennai-02.

+ 1 cc to Mr.V.Bharathidasan, Advocate SR 53687

+ 1 cc to Mr.P.R.Dhilipkumar, Advocate SR 53436

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