

In the High Court of Judicature at Madras

Dated: 09.10.2015

Coram

The Honourable Mr.JUSTICE M.SATHYANARAYANAN

Writ Petition No.32084 of 2015
& M.P.Nos.1 to 3 of 2015

T.Ravikumar

.... Petitioner

Vs.

1. The Chairman and Managing Director,
TANGEDCO formerly TNEB Limited,
800 Anna Salai, Chennai - 600 002.
2. The Superintending Engineer,
TANGEDCO formerly TNEB Limited,
Coimbatore Electricity Distribution Circle/South
Coimbatore 641 012.
3. Thiru N.Mani,
The Superintending Engineer,
TANGEDCO formerly TNEB Limited,
Coimbatore Electricity Distribution Circle/South
Coimbatore 641 012.
4. The Assistant Executive Engineer, North
TANGEDCO formerly TNEB Limited,
Coimbatore Electricity Distribution Circle/South
Coimbatore 641 012.
5. Mrs.Sathya,
The Assistant Executive Engineer, North
TANGEDCO formerly TNEB Limited,
Coimbatore Electricity Distribution Circle/South
Somanur - 641 668.

.... Respondents

PETITION under Article 226 of The Constitution of India praying for issuance of Writ of Certiorarified Mandamus calling for the records relating to the charge memorandum bearing Proceedings No.003378/254/NePe3/01/T.Ravi O.N/2015 dated 03.07.2015, issued by the 2nd respondent herein, namely, the Superintending Engineer, TANGEDCO formerly TNEB Limited, Coimbatore Electricity Distribution Circle/South, Coimbatore 641 012, quash the same as non-est in the eye of law and consequently to direct the 1st respondent herein namely the Chairman and Managing Director, TANGEDCO formerly TNEB

Limited, 800 Anna Salai, Chennai - 600 002, to pay interest at the rate of 18% per annum from November 2011 for not paying the duty pay for November 2011 due to the petitioner and to continue to pay the same in respect of the future pay and also pay compensation of a sum of Rs.25,00,000/- for initiating the disciplinary proceedings against the petitioner in spite of the order of this Honourable Court dated 05.06.2014 made in M.P.No.2 of 2014 in W.P.No.3922 of 2014 and to recover the same from the salaries of the 3rd respondent herein namely Thiru N.Mani, The Superintending Engineer, TANGEDCO formerly TNEB Limited, Coimbatore Electricity Distribution Circle/South, Coimbatore 641 012 and the 5th respondent herein namely Mrs.Sathya, The Assistant Executive Engineer, North, TANGEDCO formerly TNEB Limited, Coimbatore Electricity Distribution circle/South, Somanur 641 668.

For Petitioner : Mr.K.S.Govindaprasad

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 a Line Inspector and the second respondent has issued a charge memo dated 03.07.2015 alleging certain delinquencies on his part and challenging the legality of the order, the petitioner came forward to file the present Writ Petition.

3. Learned counsel appearing for the petitioner would vehemently contend that though the petitioner is ready and willing to report for duty, he has not been assigned with any duty so far and the salary due and payable to him from November, 2011 onwards are also not paid and hence prays for appropriate orders.

4. Heard the submissions of the learned counsel appearing for the petitioner and Mr.P.R.Dhilipkumar, learned Standing Counsel, who accepts notice on behalf of the respondents.

5. Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the same, directs the second respondent to consider the claim of the petitioner with regard to the non-payment of salary due and payable from November, 2011 onwards and pass appropriate orders on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order. It is also open to the petitioner to approach the Enquiry Officer seeking extension of time to submit the written statement of defence in the form of representation. The Enquiry Officer, on receipt of such representation, is directed to consider the said

representation and pass orders on merits and in accordance with law as expeditiously as possible.

The Writ Petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

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To

1. The Chairman and Managing Director,
TANGEDCO formerly TNEB Limited,
800 Anna Salai, Chennai - 600 002.
2. The Superintending Engineer,
TANGEDCO formerly TNEB Limited,
Coimbatore Electricity Distribution Circle/South
Coimbatore 641 012.
3. Thiru N.Mani,
The Superintending Engineer,
TANGEDCO formerly TNEB Limited,
Coimbatore Electricity Distribution Circle/South
Coimbatore 641 012.
4. The Assistant Executive Engineer, North
TANGEDCO formerly TNEB Limited,
Coimbatore Electricity Distribution Circle/South
Coimbatore 641 012.
5. Mrs.Sathya, (Engquiry Officer)
The Assistant Executive Engineer, North
TANGEDCO formerly TNEB Limited,
Coimbatore Electricity Distribution Circle/South
Somanur - 641 668.

+1 cc to Mr.P.R.Dhilipkumar, Advocate, sr.55258
+1 cc to Mr.S.Govindaprasad, Advocate, sr.55443

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