

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 03.11.2015

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.35269 of 2015

T.Balayian

... Petitioner

- Vs -

1.The Chairman cum Managing Director,
Tamil Nadu Generation and Distribution
Corporation Ltd.,
No.144, Anna Salai,
Chennai - 600 002.

2.The Chief Engineer - Personnel,
Tamil Nadu Generation and Distribution
Corporation Ltd.,
No.144, Anna Salai,
Chennai - 600 002.

3.The Superintending Engineer,
Vellore Electricity Distribution Circle,
Tamil Nadu Generation and Distribution
Corporation Ltd.,
Gandhi Nagar, Vellore - 6.

... Respondents

Prayer : Writ Petition filed under Article 226 of the
Constitution of India praying to issue Writ of Mandamus
directing the respondents to absorb the petitioner into
respondent's corporation service by considering the petitioner's
representation dated 15.03.2015 within time frame.

For Petitioner : Mr.K.Sasindran

For Respondents : Mr.M.Fakkin Mohideen

O R D E R

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

2. This writ petition has been filed seeking for a writ of mandamus directing the respondents to absorb the petitioner into respondent's corporation service by considering the petitioner's representation dated 15.03.2015 within time frame.

3. The case of the petitioner is that he is working as a contract labourer in the Tamil Nadu Electricity Board from the year 1990 under the control of the 3rd respondent. He was identified as contract labourer eligible for absorption by the committee constituted by the Board on 08.08.1998. As per order in B.P.(Ch) No.44, Adm. Branch dt.06.09.2007, the petitioner is entitled for regularisation of service. The further claim of the petitioner is that the second respondent issued Memo No.107609/G.582/2007-1 dated 07.09.2007 directing all the Superintending Engineers to absorb the persons mentioned in the Annexure to the memo wherein the name of the petitioner find place in Srl.No.254 of the annexure. However, the 3rd respondent who is the competent authority has not absorbed the petitioner so far. Hence, the petitioner has made representation to the respondents on 15.10.2015 for absorbing him into the Board service. Since no order has been passed by the respondents so far, the petitioner is before this Court.

4. Heard Mr.K.Sasindran, learned counsel for the petitioner and Mr.M.Fakkin Mohideen, learned counsel appearing for the respondents.

5. This Court, considering the limited scope sought for by the petitioner and without going into the merits of the same, directs the 3rd respondent to consider the petitioner's representation dated 15.03.2015 and pass orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

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

rgr

-s/d-

Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

To

1.The Chairman cum Managing Director,
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Tamil Nadu Generation and Distribution
Corporation Ltd.,
Gandhi Nagar, Vellore - 6.

+ 1 cc to M/s.M.Fakkir Mohideen, Advocate SR 60829

+ 1 cc to M/s.K.Sasindran, Advocate SR 60586

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prk23/11

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