

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 19.11.2015

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.36814 of 2015

D.Askar Ali

... Petitioner

- Vs -

1.The Chairman,
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,
Krishnagiri Electricity Distribution Circle,
TANGEDCO, Krishnagiri Division,
Krishnagiri.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to consider and pass orders on the representation of the petitioner dated 29.9.2015 with regard to promotion of the petitioner to the post of Junior Engineer/Electrical Grade II, by extending the benefit of the order passed in W.A.No.1571 to 1575 of 2012 dated 22.6.2015.

For Petitioner : Mr.S.N.Ravichandran

For Respondents : Mr.M.Fakkir Mohideen

O R D E R

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

2. According to the petitioner, he was appointed as a helper in the Tamil Nadu Electricity Board on 17.07.1987 and

subsequently he was promoted as Commercial Assistant, Line Inspector, Foreman and Special Grade Foreman on 11.06.1992, 28.11.2001, 06.08.2008 and 27.08.2010 respectively. With the permission of the respondents, he has completed Diploma in Electronics and Communication Engineering and he is entitled to be promoted as Junior Engineer/Electrical Grade II.

3. It is the further case of the petitioner that due to amendment made to B.P 17 dated 05.07.2003, the respondent refused promoting him to Junior Engineer/Electrical Grade II. The said amendment was challenged by one Vijayalakshmi and others in WP Nos.39659/02, 39660/02 and 893/08 which was allowed by this court on 16.12.2010. The appeals preferred by the respondents in W.A.Nos.1571 to 1575 of 2012 were also disposed of by this Court by order dt.22.06.2015. Hence, the petitioner made a representation to the respondents on 29.09.2015 through the 3rd respondent requesting for promotion and the 3rd respondent has also forwarded the same to the 2nd respondent. However, the 2nd respondent has not considered the representation of the petitioner so far and hence this writ petition.

4. Heard Mr.S.N.Ravichandran, learned counsel appearing for the petitioner and Mr.M.Fakkir Mohideen, learned standing counsel who accepts notice on behalf of the respondents.

5. Though the petitioner prayed for a larger relief, this court, in the light of the facts and circumstances and without going into the merits of the case, directs the respondents to consider the petitioner's representation dated 29.09.2015 and pass orders on merits and in accordance with law, within a period of six 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.

Sd/-

Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

rgr

To

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

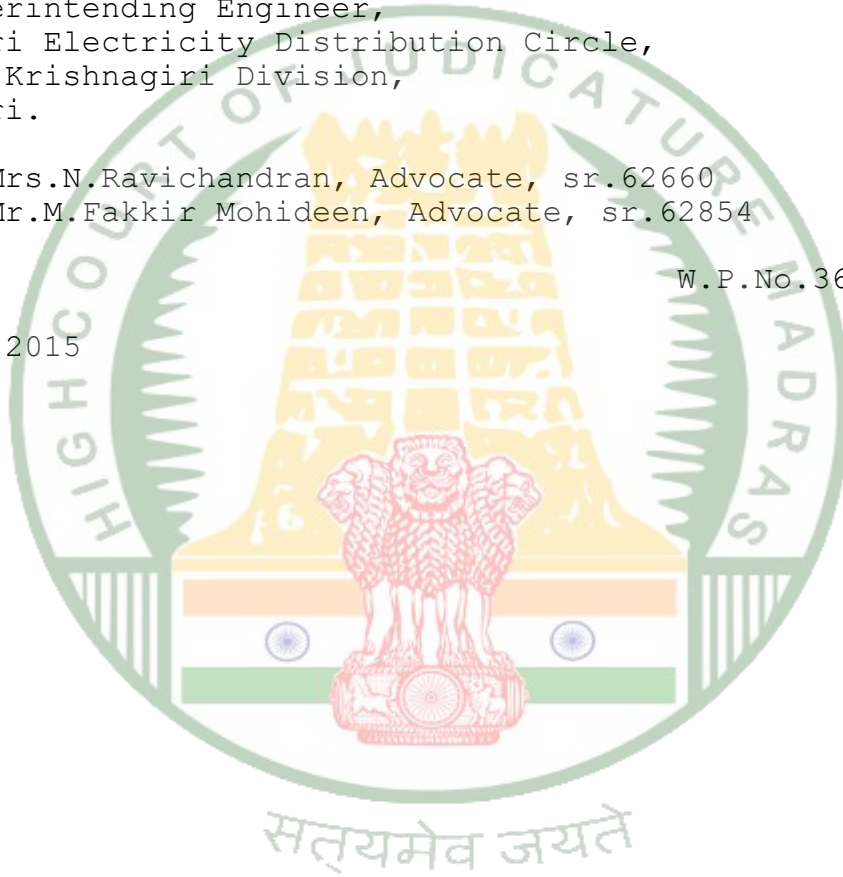
2.The Chief Engineer (Personnel),
Tamil Nadu Generation and Distribution
Corporation Ltd.,
No.144, Anna Salai, Chennai - 600 002.

3.The Superintending Engineer,
Krishnagiri Electricity Distribution Circle,
TANGEDCO, Krishnagiri Division,
Krishnagiri.

+1 cc to Mrs.N.Ravichandran, Advocate, sr.62660
+1 cc to Mr.M.Fakkir Mohideen, Advocate, sr.62854

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kra 04.12.2015



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