

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 19.11.2015

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.36842 of 2015

K.T.Kumaravel

... Petitioner

- Vs -

1.The Chairman cum Managing Director,
Tamil Nadu Generation and Distribution
Corporation Ltd.,
No.144, Anna Salai, Chennai - 2.

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

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st respondent to count the earlier service of the petitioner rendered in Valivalam Desigar Polytechnic (Government Aided) as Associate Lecturer from 19.12.1984 to 07.12.1988 for the purpose of seniority, promotion and pension by considering the representation of the petitioner dated 10.02.2013, 22.08.2015 and 08.09.2015, in the light of Board Proceedings in B.P. (FB) No.56 dated 12.10.1992 and B.P(Ch).No.209, dated 18.10.2008.

For Petitioner : Mr.S.N.Ravichandran
For Respondents : M/s.R.Varalakshmi

O R D E R

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

2. The case of the petitioner is that he completed B.E (Mechanical) in the year 1984 and joined as Instructor in Government Aided Polytechnic namely Valivalam Desigar Polytechnic College on 19.12.1984 and he was promoted as Associate Lecturer on 19.12.1987 and served as such till 07.02.1988. Thereafter, he joined as Assistant Engineer (Mechanical) in TNEB at Checkanoor on 08.12.1988.

3. The grievance expressed by the petitioner is that his earlier service rendered in Valivalam Desigar Polytechnic (Government Aided) College as Associate Lecturer from 19.12.1984 to 07.12.1988 was not considered for the purpose of seniority, promotion and pension. Hence, he submitted representations to the respondents on 10.02.2013, 22.08.2015 and 08.09.2015. The petitioner would state that, pursuant to Government Order in G.O.Ms.No.404 Finance Department, the respondent board issued B.P.(FB) No.56 dated 12.10.1992 and B.P (Ch) No.209 dated 18.10.2008. Based on the board proceedings, the earlier service of Thiru S.Ponnusamy and Thiru Sethuraman were counted for the purpose of seniority, promotion and pensionary benefits, but the same benefit is not extended to the petitioner.

4. Heard Mr.S.N.Ravichandran, learned counsel appearing for the petitioner and Ms.R.Varalakshmi, 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 1st respondent to consider the petitioner's representations dated 10.02.2013, 22.08.2015 and 08.09.2015 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 and communicate the decision taken, to the petitioner.

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

-s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

To

1. The Chairman cum Managing Director,
Tamil Nadu Generation and Distribution
Corporation Ltd., No.144, Anna Salai, Chennai - 2.

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

+ 1 cc to Mrs.R.Varalakshmi, Advocate SR 62708

+ 1 cc to Mr.S.N.Ravichandrar, Advocate SR 62659

ad(co)
prk7/1

W.P.No.36842 of 2015