

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.09.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.22461 of 2016
& W.M.P.Nos.19178 & 19179 of 2016

R.Shanmugam

... Petitioner

Vs.

1. Tamil Nadu Generation & Distribution Corporation Limited,
Rep. by its Chief Engineer (Personnel),
No.144 Anna Salai, Chennai-600 002.
- 2 Superintending Engineer
Tamil Nadu Generation and Distribution Corporation Limited,
Namakkal Electricity Distribution Circle,
Namakkal.
- 3 Executive Engineer (O&M)
Tamil Nadu Generation and Distribution Corporation Limited,
Paramathivellore-638 182,
Namakkal District.

... Respondents

PRAYER : Writ petition has been filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to quash the order of the 2nd respondent dated 17.08.2015, bearing Memo No.10202/Adm.2/A.3/F.Retirement 2016 (RWE)/2015, in so far as treating the date of birth of the petitioner as 1.7.1958 and proposing to retire the petitioner on 30.06.2016 and the order of the 2nd respondent dated 14.06.2016 bearing Ku.Aa.No.007221/351/Ni.Pi.2/Ni.U.2/Ko.Thani-2016 as illegal arbitrary and contrary to law and consequently direct the respondents to treat the date of birth of the petitioner as 01.07.1961 on the basis Medical Board Certificate of Government Hospital Namakkal and on that basis continue the employment of the petitioner till 30.06.2019.

For Petitioner: Mr.Balan Haridoss

For Respondent: Mr.P.R.Dhilpkumar,
Standing Counsel

O R D E R

This writ petition has been filed seeking to issue a Writ of Certiorarified Mandamus to quash the order of the second respondent dated 17.08.2015, bearing Memo No.10202/Adm.2/A.3/F.Retirement 2016 (RWE)/2015, in so far as treating the date of birth of the petitioner as 01.07.1958 and proposing to retire the petitioner on 30.06.2016 and the order of the second respondent dated 14.06.2016, bearing Ku.Aa.No.007221/351/Ni.Pi.2/Ni.U.2/Ko.Thani-2016, as illegal arbitrary and contrary to law and consequently, direct the respondents to treat the date of birth of the petitioner as 01.07.1961 on the basis Medical Board Certificate of Government Hospital Namakkal and on that basis continue the employment of the petitioner till 30.06.2019.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

3. When the matter is taken up for consideration, learned counsel for the petitioner produced the proceedings of the Chief Engineer in Memo No.047672/576/G.46/G.462/2016-2, dated 25.07.2016, wherein, it has been clearly stated that the Date of Birth of the petitioner has been taken as 01.07.1961, as per the Medical Board Certificate and the petitioner was allowed to continue in service till 30.06.2019.

4. In view of the aforesaid memo issued by the first respondent, I am of the view that nothing survives more for adjudication in this writ petition. Recording the aforesaid memo issued by the first respondent, this Writ Petition is closed. No costs. Consequently, connected miscellaneous petitions are closed.

सत्यमेव जयते

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To,

1. Tamil Nadu Generation &
Distribution Corporation Limited,
Rep. by its Chief Engineer (Personnel),
No.144 Anna Salai, Chennai-600 002.
- 2 Superintending Engineer,
Tamil Nadu Generation and Distribution
Corporation Limited,
Namakkal Electricity Distribution Circle,
Namakkal.
- 3 Executive Engineer (O&M)
Tamil Nadu Generation and Distribution
Corporation Limited,
Paramathivellore-638 182,
Namakkal District.

+1cc to M/s. Balan Haridoss, Advocate, S.R.No.52961

CNR(CO)
EU(21/10/2016)

W.P.No.22461 of 2016

सत्यमेव जयते

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