

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12-08-2016

Coram

THE HON'BLE MR.JUSTICE B. RAJENDRAN

Writ Petition No.28255 of 2016

P.Gopal

.. Petitioner

Vs.

1.The Secretary,
TANGEDCO/TNEB,
144, Anna Salai,
Chennai -600 002.

2.The Chief Engineer / Personnel,
TANGEDCO / TNEB,
144, Anna Salai,
Chennai – 600 022.

.. Respondents

Writ Petition filed under Article 226 of the constitution of India to issue a Writ of Mandamus, to direct the respondents to consider and pass orders on the various representations made by the petitioner dated 22.01.2016 & 3.5.2016 in accordance with (Permanent) B.P. (Ch) No.223 dated 21.11.2009 in Clause 13-7 (vi) in so far as three promotions within a time frame and to pass such further orders as this Court may deem fit and proper in the circumstances of the case.

For Petitioner

:Mr.C.S. Krishnamoorthy

For Respondents

:Mrs.R.Varalakshmi
Standing Counsel

ORDER

By consent, this Writ Petition is taken up and disposed of at the stage of admission itself.

2. This Writ Petition has been filed to issue a Writ of Mandamus, to direct the respondents to consider and pass orders on the representations made by the petitioner, dated 22.01.2016 and 03.05.2016, in the light of Clause 13-7 (vi) of (Permanent) B.P. (Ch) No.223, dated 21.11.2009, within a time frame.

3. The petitioner joined service in Tamil Nadu Electricity Board as Administrative Junior Assistant in the year 1995 and subsequently, he was promoted as Administrative Assistant in the year 2012. Thereafter, he was promoted as Administrative Supervisor and presently, he is working in the same category in Kancheepuram Electricity Distribution Circle. While so, based on the Settlement, dated 21.11.2009, the Tamil Nadu Electricity Board issued a Permanent Board Proceedings No.223, on 21.11.2009. According to the petitioner, Clause 13, sub-regulation 7(vi) of (Permanent) B.P. (Ch) No.223, dated 21.11.2009, specifically states that "To remove stagation in promotion, the Board would like to evolve

such promotion policy that every regular employee on time scale of pay, will be assured of three promotions in their entire service...". The grievance of the petitioner is that as per the said Board Proceedings, every regular employee on time scale of pay will be assured three promotions in their entire service, but, he was given only two promotions. In this regard, the petitioner has made representations to the respondents on 22.01.2016 and 03.05.2016, but, there was no response. Hence, the present Writ Petition has been filed seeking the relief stated supra.

4. Mr.C.S.Krishnamoorthy, the learned counsel appearing for the petitioner, would submit that the petitioner would be satisfied, if a direction is issued to the respondents to consider and pass appropriate orders on his representations, dated 22.01.2016 and 03.05.2016, seeking further promotion, in the light of Clause 13-7 (vi) of (Permanent) B.P. (Ch) No.223, dated 21.11.2009.

5. Mrs.R.Varalakshmi, the learned Standing Counsel, who took notice for the respondents, has got no objection in directing

the respondents to consider and pass orders on the representations of the petitioner, on merits and in accordance with law.

6. Considering the above submission made by the learned counsel on either side, this Court, without going into the merits of the claim made by the petitioner, directs the respondents, to consider the representations of the petitioner, dated 22.01.2016 and 03.05.2016, seeking further promotion, and pass appropriate orders, on merits and in the light of Clause 13-7 (vi) of (Permanent) B.P. (Ch) No.223, dated 21.11.2009, as expeditiously as possible. It is made clear that this Court has not expressed any opinion with regard to the merits of the claim made by the petitioner.

7. The Writ Petition is disposed of accordingly. No costs.

paa

12-08-2016

Index : Yes/No
Internet : Yes/No

To

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B.RAJENDRAN,J

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