

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 20.12.2016

Coram

The Honourable Mr. *JUSTICE M.SATHYANARAYANAN*

Writ Petition No.43739 of 2016

K. Parasuraman

... Petitioner

-Vs-

1. Chairman cum Managing Director,
Tamil Nadu Electricity Board Ltd.,
10th Floor, Electricity Avenue,
Anna salai,
Chennai - 2.
2. Chief Engineer/ Distribution,
TANGEDCO/Erode Region,
EVN Road, Opp.Govt. Hospital,
Erode,
Erode District.
3. Superintending Engineer,
Salem Electricity Distribution Circle,
TANGEDCO/ Udayapatty by-pass,
Tamil Nadu Electricity Board,
K.N.Colony Post,
Salem - 14,
Salem District.

... Respondents

Writ Petition has been filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus to direct the 1st respondent to consider and pass orders on the Mercy Petition submitted by the petitioner on 10.06.2016.

For Petitioner : Mr.C.Vediappan
for M/s.C.S.Associates
For Respondents : Mr.P.R.Dhilipkumar

O R D E R

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

2. The petitioner, while working as Assistant Engineer, Athur (South) in the service of the Tamil Nadu Electricity Board, now Tamil Nadu Generation of Electricity and Distribution Corporation (TANGEDCO), was issued with the disciplinary proceedings which culminated in dismissal from service vide proceedings dated 31.12.2011. The petitioner filed an appeal before the 2nd respondent and vide order dated 14.08.2012, the order of removal from service was modified to the punishment of reduction in time scale for a minimum period of three years. According to the petitioner, the criminal prosecution was also simultaneously launched in C.C.Nos.299 of 2003 and 169 of 2010 and the learned Judicial Magistrate-I, Attur, tried those cases and awarding benefit of doubt, acquitted the petitioner. The petitioner, thereafter, submitted a representation dated 10.06.2016 to the first respondent praying for reviewing the order of reduction in pay and to confer all the consequential and other benefits. Since, the said representation having been not disposed of, he came forward to file this writ petition.

3. Heard the learned counsel appearing for the petitioner and Mr.P.R.Dhilipkumar, who accepts notice on behalf of the respondents.

4. This Court, taking into consideration the limited scope of the prayer sought for by the petitioner and without going into the claim projected by the petitioner either in the representation or in the writ petition, directs the first respondent to consider and dispose of the the petitioner's representation dated 10.06.2016 on merits and in accordance with law and pass orders within a period of twelve weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner. The writ petition is disposed of accordingly. No costs.

-s/d-

Assistant Registrar (CS-III)

/true copy/

Sub-Assistant Registrar

vsi

To

1. Chairman cum Managing Director,
Tamil Nadu Electricity Board Ltd.,
10th Floor, Electricity Avenue,
Anna Salai, Chennai - 2.

2. Chief Engineer/ Distribution,
TANGEDCO/Erode Region,
EVN Road, Opp. Govt. Hospital,
Erode, Erode District.

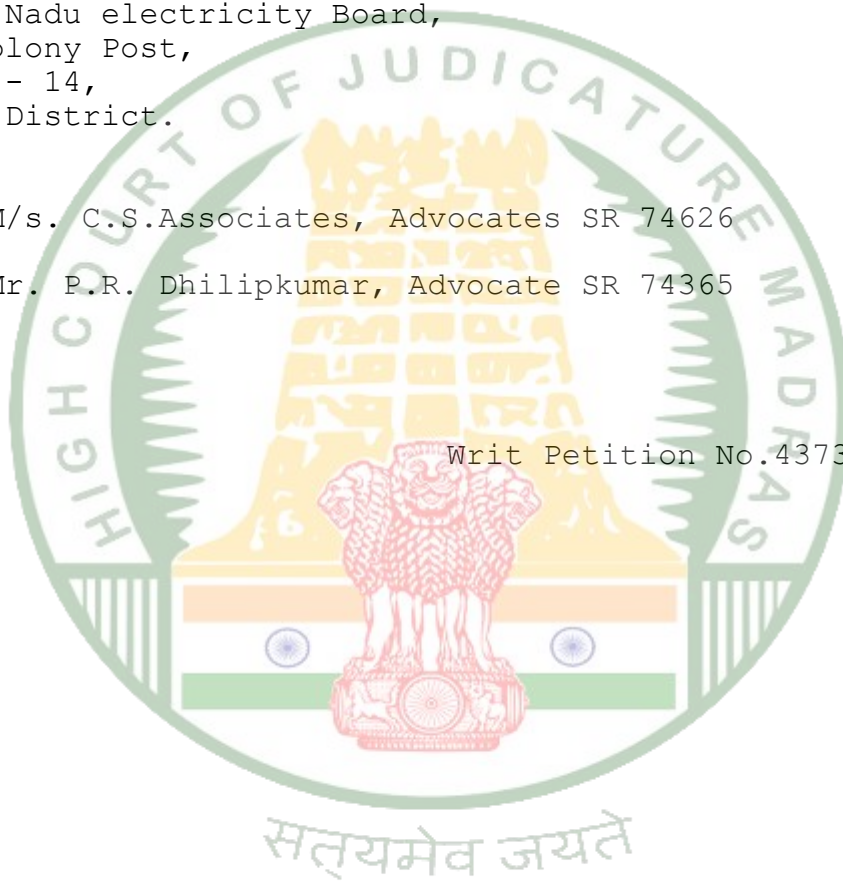
3. Superintending Engineer,
Salem Electricity Distribution circle,
TANGEDCO/ Udayapatty by-pass,
Tamil Nadu electricity Board,
K.N.Colony Post,
Salem - 14,
Salem District.

+1 CC to M/s. C.S.Associates, Advocates SR 74626

+1 CC to Mr. P.R. Dhilipkumar, Advocate SR 74365

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KGK
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