



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.09.2016

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THE HON'BLE Dr.JUSTICE S.VIMALA

W.P(MD) No.18040 of 2016

K.Sreekumar

... Petitioner

-vs-

1.The Chairman cum Managing Director,
TANGEDCO, NPKRR Maligai,
144, Anna Salai,
Chennai - 600 002.

2.The Chief Engineer,
TANGEDCO,
NPKRR Maligai,
144, Anna Salai,
Chennai - 600 002.

3.The Superintending Engineer,
TANGEDCO,
Kanyakumari District,
Nagercoil.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the Respondents to sanction and pay the retirement and pensionary benefits to the petitioner for the promotional post of Special Grade Foreman by re-fixing the monitory benefits based on the Petitioner's Representation dated 02.07.2016 within the period stipulated by this Court.

For Petitioner : Mr.Ananth C.Rajesh
For Respondents : Mr.A.V.Ramanathan
Standing Counsel

O R D E R

This writ petition has been filed for the issuance of a Writ of Mandamus, directing the respondents to sanction and pay the retirement and pensionary benefits to the petitioner for the promotional post of Special Grade Foreman by re-fixing the monitory benefits based on the petitioner's representation dated 02.07.2016



2. Heard Mr. Ananth C. Rajesh, learned counsel for the petitioner and Mr. A. V. Ramanathan, learned Standing Counsel who takes notice for the respondents. By consent, the writ petition itself is taken up for final disposal at the admission stage.

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3. The case of the petitioner is that he was appointed as a daily wages worker in the central store under the control of the third respondent in the year 1979 and his service was regularised by an order dated 31.12.1991. Thereafter, he was appointed as a Helper in Anti Power Theft Squad at Nagercoil and subsequently he was given promotion as foreman in the year 2011 and he retired from service on 30.04.2016.

4. The grievance of the petitioner is that the name of the petitioner was found in the seniority list as Serial No. 15 and because of the intervening election, his promotion was not considered and therefore, he happened to retire without any promotion. It is pointed out that the juniors of the petitioner had been considered for promotion and therefore, his case also must be considered for notional promotion and accordingly, all the benefits must be given to the petitioner. The petitioner has given a representation dated 02.07.2016 to the respondents. As the same has not been considered so far, the petitioner is before this Court.

5. The learned Standing Counsel for the respondents would submit that the respondents will consider the representation of the petitioner dated 02.07.2016 and pass orders on merits and in accordance with law.

6. In view of the submission made by the learned standing counsel for the respondents, the respondents are directed to consider the representation of the petitioner dated 02.07.2016 and pass appropriate orders on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

7. The Writ Petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (AE)

/True Copy/

Sub Assistant Registrar



mj

+1CC to Mr.Ananth C.Rajesh, Advocate Sr.No.54756

GJM/SK/SKN/21.10.16-3p-2C

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