



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.12.2016

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P. (MD) No.24663 of 2016

and

W.M.P (MD) No.17782 of 2016

- 1) M. Murugesan
- 2) R. Ponraj
- 3) P. Kalaiyarasan
- 4) M. Ragavan
- 5) T. Janakiramar
- 6) E. Venkatraman
- 7) S. Arumugam
- 8) K. James Durai
- 9) N. Krishnamurthy
- 10) A. Manoharan
- 11) V. Chandrasekar
- 12) I. Ambalavanan

... Petitioners

vs.

1) The Chairman cum Managing Director,
Tamilnadu Generation and distribution Corporation Ltd.,
Tamilnadu Electricity Board,
No.144 Annasalai,
Chennai 600002.

2) The Chief Enginner Personnel,
Tamilnadu Generation and distribution Corporation Ltd.,
Tamilnadu Electricity Board,
No.144 Annasalai,
Chennai 600002.

3) The Superintending Engineer,
Tamilnadu Generation and Distribution Corporation Ltd.,
Tirunelveli Electricity Distribution Corporation Ltd.,
Tirunelveli-627 011.

- 4) K. Sadasivam
- 5) N. Murugusubramanian
- 6) N. Babu Joseph Thaya
- 7) A. Pichaiah
- 8) P. Ramasubbu
- 9) V. Alagushankar
- 10) R. Ponmadasamy
- 11) I. Muthalan

... Respondents



Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus, to direct the respondents 1 and 2 to consider the petitioner's Appeal dated 21.09.2016 in accordance with the Section 98(2)(f) of Tamil Nadu Electricity Board Service Regulations within a stipulated time may be fixed by this Hon'ble Court and consequently direct the Respondents to promote the petitioners to the post of Special Grade Foreman as per circle seniority assigned by the 3rd Respondent in proceedings Ku.No.1875/Ni Pi 2/U-1/Ko Mu Pa/2013 dated 31.12.2013 and based on the suitability Report submitted by the 3rd respondent in proceedings dated 21.06.2014.

For Petitioner : Mr.M.Saravanakumar
For Respondents 1 to 3 : Mr.G.Kasinathadurai

ORDER

The prayer in this writ petition is for issuance of a Writ of Mandamus, to direct the respondents 1 and 2 to consider the petitioner's Appeal dated 21.09.2016 in accordance with the Section 98(2)(f) of Tamil Nadu Electricity Board Service Regulations, within a time frame to be fixed by this Court and consequently, direct the Respondents to promote the petitioners to the post of Special Grade Foreman as per the circle seniority assigned by the 3rd Respondent in proceedings Ku.No.1875/Ni Pi 2/U-1/Ko Mu Pa/2013, dated 31.12.2013, and based on the suitability Report submitted by the 3rd respondent in proceedings dated 21.06.2014.

2.The petitioners were appointed as Helpers and subsequently, they were promoted as Wiremen and Line Inspectors as per their seniority and further promoted as Foremen Grade-I. While so, the 3rd respondent issued the petitioners' seniority in the cadre of Foreman Grade-I as per the Board Regulations and that published the seniority list dated 31.12.2013, in which, the petitioners were placed above the respondents 4 to 11. However, relying upon the Memo No.051836/555/G/462/2010-6 dated 05.11.2010 of the Chief Engineer/Personnel, TANGEDCO, the 3rd respondent has revised the seniority, which was settled in the year 2013 itself and promoted the juniors of the petitioner to the post of Special Grade Foreman on extraneous consideration. Hence, the petitioners made a representation/appeal to the respondents 1 and 2 on 21.09.2016 and the same was not considered by the respondents. Hence, this writ petition.

3.Having regard to the limited relief sought for, the respondents 1 and 2 are directed to pass orders on the representation/appeal dated 21.09.2016 of the petitioner, in accordance with law, within a period of two months from the date of receipt of a copy of this order.



With the above direction, this Writ Petition is disposed of.
No costs. Consequently, W.M.P(MD)No.17782 of 2016 is closed.

Sd/-

Assistant Registrar(Writs)

/True copy/

Sub Assistant Registrar

To

1)The Chairman cum Managing Director,
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3)The Superintending Engineer,
Tamilnadu Generation and Distribution Corporation Ltd.,
Tirunelveli Electricity Distribution Corporation Ltd.,
Tirunelveli-627 011.

+1cc to Mr.M.Saravanakumar, Advocate SR.No.82693
+1cc to Mr.G.Kasinathadurai, Advocate SR.No.83385

nbi

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& W.M.P (MD)No.17782 of 2016
22.12.2016