

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.04.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.10013 of 2017

K.Elangovan .. Petitioner
-vs-

1. The Chief Engineer (Personnel)
Tamil Nadu Generation & Distribution
Corporation Ltd.,
Anna Salai, Chennai 600 002
2. The Superintending Engineer
Cuddalore Electricity Distribution Circle
Tamil Nadu Generation & Distribution
Corporation Ltd.,
Cuddalore-4 ..Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the first respondent to pass orders on the representation dated 22.03.2017 acknowledged on 23.03.2017 seeking revocation of suspension by reviewing and for posting in a non-sensitive post.

For Petitioner :: Mr.L.Chandrakumar

For Respondents :: Mr.M.Fakkir Mohideen

ORDER

The petitioner, while serving as Junior Engineer Grade-I, was placed under suspension on an allegation of demand and acceptance of illegal gratis for grant of electricity service connection at the instance of Vigilance and Anti-Corruption, by the proceedings dated 27.10.2016 passed by the Superintending Engineer, Cuddalore Electricity Distribution Circle, TANGEDCO, Cuddalore with retrospective effect from 26.10.2016. From the date of suspension, he has been receiving 75% of his pay as subsistence allowance without extraction of any work. In this background, the learned counsel for the petitioner submitted that when a detailed representation has been given requesting the respondents to re-consider the suspension order, in the light of the judgment of the Apex Court in Ajay Kumar Choudhry v. Union of India, (2015) 2 Scale 432, till date, the respondents have not come forward to consider the same. Therefore, he has been advised to come to this Court seeking a direction to the respondents to consider his representation.

2. The learned standing counsel for the respondents sought six weeks time to consider the pending representation of the petitioner.

3. This Court, considering the limited prayer, without going to the merits of the matter, hereby directs the respondents to consider the pending representation of the petitioner on merits and pass appropriate orders in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. Consequently, W.M.P.No.11019 of 2017 is closed. No costs.

Sd/-
Asst.Registrar (CS VII)

/true copy/

Sub Asst. Registrar

ss

To

1. The Chief Engineer (Personnel)
Tamil Nadu Generation & Distribution
Corporation Ltd.,
Anna Salai
Chennai 600 002
2. The Superintending Engineer
Cuddalore Electricity Distribution Circle
Tamil Nadu Generation & Distribution
Corporation Ltd.,
Cuddalore-4

+1cc to Mr.M.Fakkir Mohideen, Advocate sr.24552

W.P.No.10013 of 2017

vsn(co)
ss(4/5/2017)

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