

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.03.2017

CORAM:

THE HONOURABLE Mr. JUSTICE T.RAJA

W.P.No.7490 of 2017

M.Rajendran

..Petitioner

Vs.

1.The Chairman

Tamil Nadu Generation Distribution
Corporation Ltd., (TANGEDCO),
No.144, Anna Salai,
Chennai - 600 002.

2.The Chief Engineer (Personnel),

Tamil Nadu Generation Distribution
Corporation Ltd., (TANGEDCO),
No.144, Anna Salai,
Chennai - 600 002.

3.The Superintending Engineer,

Chengalpattu Electricity Distribution Circle,
TANGEDCO,
Chengalpattu,
Kanchipuram District.

..Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondents to pass order on the representation submitted by the petitioner dated 25.08.2012 followed by reminders with last representation dated 07.04.2016 and to promote the petitioner to the post of Foreman Grade-I on par with junior given promotion as per the proceedings issued by the 3rd respondent in Memo No.02590/Adm-111/Am.F.FM-1 Gr/2011 dated 03.08.2011, within a time frame to be fixed by this Court.

For Petitioner : Mr.G.Sankaran

For Respondents : Mrs.R.Varalakshmi

ORDER

The petitioner has filed this Writ Petition seeking a direction to the respondents to pass an order on his representations dated 25.08.2012, 07.04.2016 and to promote him

to the post of Foreman Grade-I on par with junior given promotion as per the proceedings issued by the 3rd respondent in Memo No.02590/Adm-111/Am.F.FM-1 Gr/2011 dated 03.08.2011.

2.The petitioner was appointed as Helper in the third respondent-TANGEDCO on 11.09.1987, through Employment Exchange. Subsequently, he was promoted to the post of Commercial Assistant on 01.02.1990. He was then promoted to the post of Commercial Inspector on 01.01.1994 and thereafter, to the post of Foreman Grade-I on 18.01.2007. He also submitted that as per the seniority list dated 27.07.2011 of the third respondent, his name was found in Sl.No.42, whereas his junior V.Raveendran's name was found in Sl.No.55. He also submitted that right from his date of initial appointment and on subsequent promotions, the said Raveendran is junior to the petitioner.

3. It is submitted by the petitioner that in pursuant to the order of this Court in WP.Nos.16330 to 16335/2001 & batch cases, the third respondent vide his Memo dated 03.08.2011 had revised the seniority list, in which the seniority of the Raveendran and five others, who were junior to him, were shown above the petitioner in the cadre of Foreman Grade-I with retrospective effect from 27.01.2000 and benefits were granted to them. However, the same was not considered for the petitioner.

4. The learned counsel for the petitioner has also drawn the attention of the Court that as far as the respondent Electricity Board is concerned, it has been following the single channel promotion for Regular Work Establishment categories. His contention is that when the third respondent Corporation had relied on the single channel promotion for Regular Work Establishment categories, then the seniority should have been fixed based on the date of appointment in the respective posts.

5. In view of the above background facts, the petitioner has made a representation dated to the third respondent on 25.08.2012, followed by reminders and another representation dated 07.04.2016. Since, the said representations were not considered by the third respondent, the petitioner has come forward with this Writ Petition.

6. Heard the learned counsel for the petitioner and Mrs.R.Varalakshmi, who accepts notice on behalf of the respondent.

7. This Court, considering the limited relief sought for in this writ petition, without going into the merit of the case, directs the third respondent to consider the said representations made by the petitioner and pass appropriate orders, on merits and in accordance with law, with a period of six weeks from the date of receipt of a copy of this order.

8. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ds

To:

- 1.The Chairman
Tamil Nadu Generation Distribution
Corporation Ltd., (TANGEDCO),
No.144, Anna Salai,
Chennai - 600 002.
- 2.The Chief Engineer (Personnel),
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Corporation Ltd., (TANGEDCO),
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- 3.The Superintending Engineer,
Chengalpattu Electricity Distribution Circle,
TANGEDCO,
Chengalpattu,
Kanchipuram District.

+1cc to Mr.Sankaran, Advocate, S.R.No.19653
+1cc to Mr.Varalakshmi, Advocate, S.R.No.19301

W.P.No7490 of 2017

SK(CO)
RS(17/04/2017)