

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 06.10.2017

Coram

THE HON'BLE MR.JUSTICE T.RAJA

W.P.No.26149 of 2017

R.Krishnakumar

...Petitioner

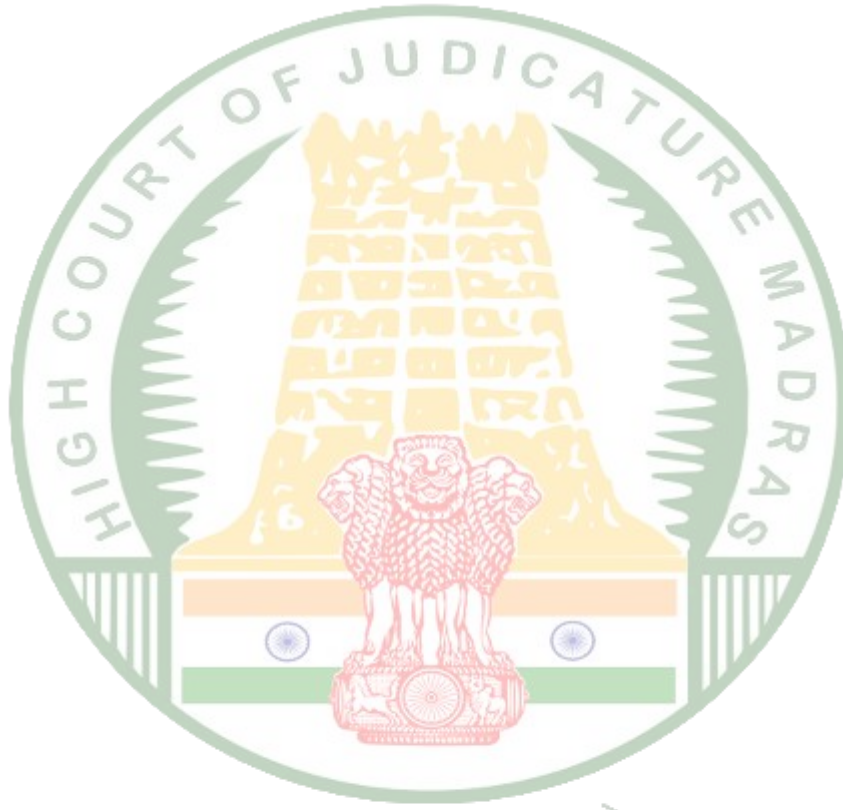
Vs.

1. Tamilnadu Generation and Distribution Corporation Ltd.
Rep. by its. Chairman,
144, Annasalai, Chennai - 600 002.
2. The Chief Engineer (Personnel),
Tamilnadu Generation and Distribution Corporation Ltd.,
144, Annasalai, Chennai - 600 002.
3. The Superintending Engineer,
Tamilnadu Generation and Distribution Corporation Ltd.,
Chennai Electricity Distribution Circle (West),
Thirumangalam, Chennai - 600 040.Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to consider the Petitioner's representations dated 21.04.2017, 29.05.2017, 03.08.2017 and 15.09.2017 and to regularize the period of his suspension from 02.12.2004 to 28.06.2006 as duty with pay with all consequential benefits including annual increments and special golden jubilee increment and also to promote him as Assistant Executive Engineer (Electrical) with effect from the date on which his immediate junior Tmt.C.Bindu was promoted to that post with all monetary and other consequential benefits, as per and in terms of Rule 57B and Ruling (9) of the TNEB Service Regulations.

For Petitioner : Mr.V.Ajoy Khose

For Respondents : Mrs.R.Varalakshmi
For R1 to R3



सत्यमेव जयते

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O R D E R

The petitioner, while working as Assistant Engineer (Electrical) in Ambatur South O&M Section, was placed under suspension, based on his arrest in Crime No.10/AC/2004/CC-I with effect from 2.12.2004, by an order dated 10.12.2004. After two years, the said suspension order was revoked on 28.06.2006 without prejudice to the pending criminal case. Finally, the learned Chief Judicial Magistrate/Special Judge, Tiruvallur acquitted the petitioner in his Judgment in Special Case No.24/2006 on 15.02.2017. In this background, the claim of the petitioner is that when he was placed under suspension on 10.12.2004 and faced the criminal proceedings till the order of acquittal dated 15.02.2017, suffered loss of promotional avenues, he has given a representation on 21.04.2017 followed by three more reminders dated 29.5.2017, 3.8.2017 and 15.9.2017, with a request to regularize the period of suspension and also to promote him as Assistant Executive Engineer (Electrical) on par with his immediate junior, based on the order of acquittal mentioned above. Till date, no response is forthcoming. Therefore, he has been advised to come to this Court.

2. Mrs.R.Varalakshmi, learned standing counsel, taking notice for the respondents, sought time to consider the pending representation within a period of four weeks.

3. Placing her request on record, the first respondent is hereby directed to consider the pending representation of the petitioner on merits and pass appropriate orders in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. With this direction, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS V)

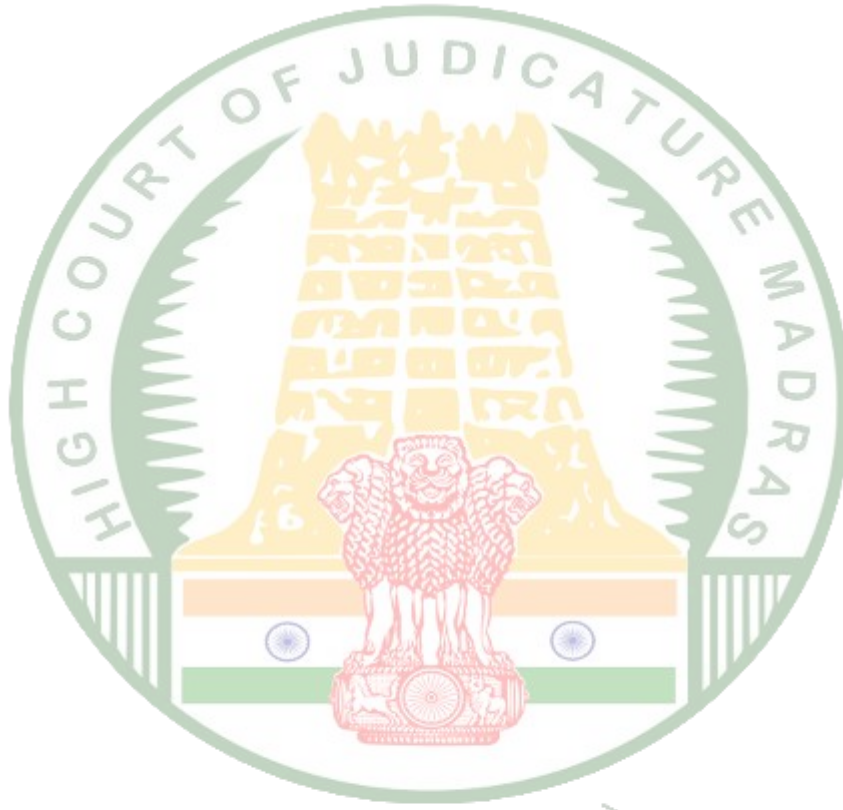
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Sub Assistant Registrar

raja/ss

To

1. The Chairman,
Tamilnadu Generation and
Distribution Corporation Ltd.
144, Annasalai, Chennai - 600 002.



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2. The Chief Engineer (Personnel),
Tamilnadu Generation and
Distribution Corporation Ltd.,
144, Annasalai, Chennai - 600 002.

3. The Superintending Engineer,
Tamilnadu Generation and
Distribution Corporation Ltd.,
Chennai Electricity Distribution Circle (West),
Thirumangalam, Chennai - 600 040.

+lcc to Mr.R.Varalakshmi, Advocate, S.R.No.72307

+lcc to Mr.V.Ajoy Khose, Advocate, S.R.No.71954

W.P.No.26149 of 2017

GN(24/10/2017)



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