

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.11.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.Nos.28962 to 28964 of 2017

K.Panneerselvam
Assessor, TANGEDCO
O/O Assistant Engineer (O&M)
Thiruvarur - South
Thiruvarur District .. Petitioner in W.P.No.28962 of 2017

M.Rajendran
Assessor, TANGEDCO
O/O Assistant Engineer (O&M)
Thiruvarur - West
Thiruvarur District .. Petitioner in W.P.No.28963 of 2017

K.Stalin
Assessor, TANGEDCO
O/O Assistant Engineer (O&M)
Thiruvarur - West
Thiruvarur District .. Petitioner in W.P.No.28964 of 2017

-vs-

1. Tamilnadu Generation and Distribution Corporation
rep. by its Managing Director,
No.144, N.P.K.K.R.Maligai,
Annasalai, Chennai - 600 002
2. The Chief Engineer (Personnel)
Tamilnadu Generation and Distribution Corporation,
No.144, N.P.K.K.R.Maligai,
Annasalai, Chennai - 2 .. Respondents in all petitions

Petitions under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents to re-fix the seniority of the petitioners notionally with effect from 08.09.2007 in the post of Assessment Grade-II on par with their juniors for the purpose of consequential promotions and monetary benefits.

For Petitioners:: Mr.K.Krishnamoorthy

For Respondents:: Mrs.R.Varalakshmi

C O M M O N O R D E R

With consent the main writ petitions are taken up for final disposal at the admission stage.

2. The petitioners while serving as contract labourer was observed as Mazdoor Grade II by an order dated 08.09.2007 and posted to AE/West/, Thiruvarur Section; AE/OPU/Kudavasal; JE/South/Thiruvarur Section respectively with a direction to report for duty immediately to the Assistant Engineer/West/Thiruvarur; Assistant Engineer / Junior Engineer /OPU/Kudavasal; Assistant Engineer / Junior Engineer /South / Thiruvarur respectively.

3. It is the claim of the petitioners that although they have passed 10th Standard, they have given the post of Mazdoor Grade II instead of Assessor Grade-II and later realising their mistake, the Superintending Engineer, Nagapattinam Distribution Circle has appointed the petitioners as Assessor Grade -II. However, the petitioners were not included in the promotion panel for the post of Assessor in the year 2014. Subsequently on representation, their names were included and they were placed as Assessor in the year 2014. Again, in the year 2016, the respondents had published seniority list for the post of Assessor and sought for recommendation of eligible candidates to the post of Inspector of Assessment, in which the petitioners were not included. Subsequently, the petitioners have submitted the appeal dated 16.02.2015 before the 2nd respondent, pending appeal, the petitioners were promoted as Inspector of Assessment on 23.06.2017, on account of the said delay committed by the respondents, many of the persons, who are all juniors to the petitioners were promoted. Therefore, the petitioners have submitted representations dated 10.07.2017 to revise their seniority and to provide promotion to the post of Inspector of Assessment on par with juniors.

4. Learned counsel appearing for the petitioners would submit that a direction may be given to the respondents to consider the representations made by the petitioners dated 10.07.2017.

5. Ms. R. Varalakshmi, learned counsel, takes notice for the respondents and seeks four weeks time to consider the representations of the petitioners.

6. Considering the limited relief sought for in these petitions and without going into the merits of the matter, this Court hereby directs the respondents to consider the representations made by the petitioners 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. Accordingly, the Writ Petitions are disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ssd
To

1. Tamilnadu Generation and Distribution Corporation
rep. by its Managing Director,
No.144, N.P.K.K.R.Maligai,
Annasalai, Chennai - 600 002
2. The Chief Engineer (Personnel)
Tamilnadu Generation and Distribution Corporation,
No.144, N.P.K.K.R.Maligai,
Annasalai, Chennai - 2

+3cc to Mr.K.Krishnamoorthy, Advocate Sr.No.80713
+1cc to M/s.Dakshayani Reddy, Advocate SR.No.80836

W.P.Nos.28962 to 28964 of 2017

SSD(CO)
sm:24.11.2017

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