

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.11.2018

CORAM:

THE HONOURABLE MRS. JUSTICE PUSHPA SATHYANARAYANA.J.,

W.P.No.22072 of 2015
& MP.No.1 of 2015

A.Arulnathan .. Petitioner

Vs

1. The Chairman Cum Managing Director,
Tamilnadu Generation and Distribution Corporation Ltd,
144, Anna Salai,
Chennai-600 002.
- 2.The Chief Engineer/Personnel,
Tamilnadu Generation and Distribution Corporation Ltd,
144, Anna Salai,
Chennai-600 002.
- 3.The Superintending Engineer,
Tamilnadu Generation and Distribution Corporation Ltd,
Dharmapuri Circle,
Dharmapuri District.
- 4.The Executive Engineer,
Tamilnadu Generation and Distribution Corporation Ltd,
Palacode Division,
Dharmapuri District.
- 5.The Executive Engineer,
Tamilnadu Generation and Distribution Corporation Ltd,
Dharmapuri Division,
Dharmapuri District.

...Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus calling for the entire records pursuant to the Letter No.065151/635/G26/G262/2014-3 dated 29.12.2014 on the file of the second respondent, quash the same and consequently direct the respondents to promote the petitioner on par with his co-employees by fixing his seniority in between Serial No.1648 P.Durga Devi and Serial No.1649 P.Sugumar with all other attendant benefits consequent to the same.

For Petitioner : Mr.B.Gopalakrishnan
For Respondents : Mr.M.Fakkir Mohideen

ORDER

Heard, Mr.B.Gopalakrishnan, the learned counsel appearing for the petitioner and Mr.M.Fakkir Mohideen, the learned counsel, who accepts notice on behalf of the respondents.

2. With consent of the learned counsel on either side, the Writ Petition itself is taken up for disposal.

3.Originally, the writ petition was filed challenging the letter No.065151/635/G26/G262/2014-3 dated 29.12.2014 passed by the second respondent, which contains the list of suitable and non-suitable persons, for considering promotion. The reasons assigned for non considering the petitioner is that a criminal case was pending against him. Now, it is stated that the petitioner's name has been deleted in the charge sheet and the charge sheet has also been filed on 30.08.2016 before the Principal District and Sessions Judge, [Special Court for SC/ST Act Cases], Dharmapuri. Based on the same, he has given a representation dated 16.11.2018 to the respondents to consider his case for promotion. Now the petitioner restrict his prayer only for a direction to the respondents to consider the said representation dated 16.11.2018.

4. Considering the submission of the learned counsel appearing for the petitioner and after going through the materials placed on record, this Court, without expressing any opinion on the merits of the representation dated 16.11.2018, directs the respondents to consider the representation of the petitioner dated 16.11.2018 and dispose of the same in accordance with law and on merits, after affording an opportunity of personal hearing to the petitioner within a period of four weeks from the date of receipt of a copy of this order.

5. With the aforesaid direction, this Writ Petition stands disposed of. No Costs.

Sd/-

Assistant Registrar(CS-IV)

//True copy//

Sub Assistant Registrar

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To

1. The Chairman Cum Managing Director,
Tamilnadu Generation and Distribution Corporation Ltd,
144, Anna Salai, Chennai-600 002.
2. The Chief Engineer/Personnel,
Tamilnadu Generation and Distribution Corporation Ltd,
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3. The Superintending Engineer,
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4. The Executive Engineer,
Tamilnadu Generation and Distribution Corporation Ltd,
Palacode Division,
Dharmapuri District.
5. The Executive Engineer,
Tamilnadu Generation and Distribution Corporation Ltd,
Dharmapuri Division, Dharmapuri District.

+1cc to Mr.B.Gopalakrishnan, Advocate SR.No.81967

+1cc to Mr.M.Fakkir Mohideen, Advocate SR.No.82089

W.P.No.22072 of 2015

GMV (07/12/2018)

सत्यमेव जयते

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