

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.03.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.4823 of 2018

K.Sundaram

.. Petitioner

-vs-

1. Tamil Nadu Generation and Distribution Corporation
rep.by its Chairman & Managing Director
No.144, NPKRR Maligai, Anna Salai
Chennai
2. The Chief Engineer (Personnel)
Tamil Nadu Generation and Distribution Corporation
No.144, NPKRR Maligai, Anna Salai
Chennai

3. C.Senthilkumar

.. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the first and second respondents to place the petitioner's seniority above the third respondent in the post of Assistant Accounts Officer and accord all consequential benefits arising out of such fixation of petitioner's seniority.

For Petitioner :: Mr.K.Krishnamoorthy

For Respondents:: Mr.P.R.Dhilip Kumar
Standing Counsel for R1 & 2

ORDER

The petitioner is serving as Assistant Accounts Officer from 12.8.2012 in the respondent-TANGEDCO after joining the service as Junior Assistant on 4.11.85. According to the petitioner, the third respondent joined the Coimbatore Municipal Corporation on 4.4.91 as Junior Assistant and after the merger took place, the third respondent was also absorbed in the respondent-TANGEDCO with effect from 1.4.98 as Junior Assistant. Even thereafter, it is stated that the petitioner was promoted as Accounts Assistant on 31.12.97, whereas the third respondent was promoted as Accounts Assistant only on 14.12.98. Later on, both the

petitioner and the third respondent were promoted as Accounts Supervisors on 6.1.2007. While so, all of a sudden, the third respondent was promoted as Assistant Accounts Officer on 8.2.2011, whereas the petitioner was promoted as Assistant Accounts Officer only on 12.8.2012. Once again the third respondent was promoted as Accounts Officer on 25.8.2015. Objecting to the abovesaid promotions given to the third respondent, the petitioner has given his representation on 16.1.2018. But the same has not been considered. Therefore, he has been advised to come to this Court.

2. The learned standing counsel taking notice on behalf of the respondents 1 & 2 sought four weeks time to consider the pending representation of the petitioner.

3. Placing on record his request, this Court hereby directs the respondents 1 & 2 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. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

ss

To

1. The Chairman & Managing Director
Tamil Nadu Generation and Distribution Corporation Ltd.,
No.144, NPKRR Maligai, Anna Salai
Chennai

2. The Chief Engineer (Personnel)
Tamil Nadu Generation and Distribution Corporation Ltd.,
No.144, NPKRR Maligai, Anna Salai
Chennai

+1cc to Mr.K.Krishnamoorthy, Advocate, S.R.No.17101
+1cc to Mr.P.R.Dhilip Kumar, Advocate, S.R.No.17017

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CS/21/03/18