

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.06.2018

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.20465 of 2007

And

W.P.M.P.No.11512 of 2018

N.Krishnamoorthy

... Petitioner

Vs.

- 1.Tamil Nadu Electricity Board,
Rep through its Chairman,
Chennai.
- 2.The Superintendent Engineer,
C.E.D.C.North,
Chennai.
- 3.The Assistant Engineer,
Rajaji Nagar Division,
Tamil Nadu Electricity Distribution (North)
Chennai.
- 4.The Assistant Executive Engineer,
Perambur,
Chennai - 82.
- 5.The Assistant Executive Engineer,
Madavaram - 1,
Chennai.

सत्यमेव जयते

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari to call for the records of the Memo No.019/Adm-I/A4/07 dated 21.02.2007 of the 2nd respondent quash the same.

For Petitioner : Mr.R.Subburaj
for M/s.P.S.Palanivelrajan

For Respondents : Mr.P.R.Dhilipkumar

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Certiorari to call for the records of the Memo No.019/Adm-I/A4/07 dated 21.02.2007 of the second respondent and to quash the same.

2.The petitioner was proceeded with disciplinary proceedings for certain lapses. Accordingly, charge memo was issued on 21.06.2005 under Rule 19 (iii) of the Tamil Nadu Electricity Board Standing Orders. Thereafter, the final order was passed on 08.08.2006 imposing the punishment of stoppage of next increment for a period of one year without cumulative effect excluding the period if any spent on leave. As against the said punishment order, the petitioner preferred appeal petition before the Superintending Engineer vide letter dated 14.09.2006. The said appeal petition was rejected on 21.02.2007, against which, the present writ petition has been filed.

3.The learned counsel appearing for the petitioner would submit that though the punishment period was over and the petitioner also retired from service on 31.07.2016 and though there is no interim order prohibiting the respondents for settling his retirement benefits, the retirement benefits were not settled in favour of the petitioner.

4.Heard the arguments advanced on either side.

5.In view of the above facts, the punishment imposed by the original Authority and confirmed by the Appellate Authority is confirmed. However, since the petitioner himself accepted the punishment, this Court is of the view that there is no legal impediment for the respondents to settle the retirement benefits due to the petitioner. सत्यमेव जयते

6.Accordingly, the respondents are directed to settle the retirement benefits due to the petitioner within a period of twelve weeks from the date of receipt of a copy of this order. The writ petition is accordingly disposed of. No costs. Consequently, the connected miscellaneous petition is also closed.

Sd/-
Assistant Registrar (CS IX)

//True Copy//

Sub Assistant Registrar

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To

- 1.Tamil Nadu Electricity Board,
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Chennai.
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Chennai.
- 4.The Assistant Executive Engineer,
Perambur,
Chennai - 82.
- 5.The Assistant Executive Engineer,
Madavaram - 1,
Chennai.

+1cc to Mr.B.Ramesh Babu, Advocate Sr.39799

+1cc to Mr.P.R.Dhilipkumar, Advocate Sr.40034

+1cc to Mr.B.Ramesh Babu, Advocate Sr.39799

[20/07/2018]

सत्यमेव जयते

W.P.No.20465 of 2007
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srg 11/07/2018

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