

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.07.2018

CORAM

THE HONOURABLE MR.JUSTICE SATRUGHANA PUJAHARI

W.P.No.16190 of 2018

and

WMP.No.19276 of 2018

K.K.Murugan

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Petitioner

..vs..

1. The Chairman,
Tamil Nadu Generation and Distribution Corporation Ltd.
(TANGEDCO),
NPKRR Maaligai,
144, Anna Salai,
Chennai-600 002.
2. The Chief Engineer- Personnel
Tamil Nadu Generation and Distribution Corporation Ltd.,
(TANGEDCO),
NPKRR Maaligai,
144, Anna Salai,
Chennai-600 002.
3. The Chief Engineer- Distribution,
Tamil Nadu Generation and Distribution Corporation Ltd.,
(TANGEDCO),
Gandhi Nagar,
Vellore- 632006.
4. The Superintending Engineer,
Krishnagiri Electricity Distribution Circle,
(TANGEDCO)
Krishnagiri-635002

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Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for a writ of Certiorarified Mandamus to call for records of the fourth respondent in Memo No.495/Adm.III/A.3/F.DVAC/2017, dated 04.07.2017, and quash the same and consequently direct the respondents to permit the petitioner to rejoin duty/service as Commercial Inspector with all attendant/consequential benefits.

For Petitioner : Mr.S.Sai Shankar

For Respondents: Mr.M.Fakhir Mohideen

ORDER

This Writ Petition has been filed challenging the order of the fourth respondent in Memo No.495/Adm.III/A.3/F.DVAC/2017, dated 04.07.2017, and quash the same and consequently direct the respondents to permit the petitioner to rejoin duty/service as Commercial Inspector with all attendant/consequential benefits.

2. Mr.Fakhir Mohideen learned counsel accepts notice for the respondents.

3. By consent of both sides, this Writ Petition is taken up and disposed of at the stage of admission itself.

4. Heard the counsel for the parties.

5. However, when this writ petition is taken up, the learned counsel for the petitioner submits that the petitioner was suspended indefinitely without serving charge memo and therefore present writ petition may be disposed of, in light of the law laid down in the case of Ajay Kumar Choudhary Vs. Union of India and another (2015) 7 SCC 291).

6. The learned counsel appearing for the respondents has submitted that the petitioner may be permitted to make a representation to the fourth respondent with a prayer to review the order of suspension within a stipulated period and on receipt of the same, the fourth respondent be directed to consider and dispose of the same within a stipulated period in accordance with law.

7. Considering the above facts and the submissions made by the learned counsel on either side and without going into the merits of the case, this writ petition is disposed of, with a direction to the petitioner to submit a representation to the fourth respondent within a period of three weeks from the date

of receipt of a copy of this order and on receipt of the same, the fourth respondent consider the same in light of the law laid down in the case of Ajay Kumar Choudhary Vs. Union of India and another (2015) 7 SCC 291 and pass appropriate orders on merits and in accordance with law within a period of eight weeks thereafter. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

1. The Chairman,
Tamil Nadu Generation and Distribution Corporation Ltd.
(TANGEDCO), NPKRR Maaligai,
144, Anna Salai,
Chennai-600 002.
2. The Chief Engineer- Personnel
Tamil Nadu Generation and Distribution Corporation Ltd.,
(TANGEDCO), NPKRR Maaligai,
144, Anna Salai, Chennai-600 002.
3. The Chief Engineer- Distribution,
Tamil Nadu Generation and Distribution Corporation Ltd.,
(TANGEDCO), Gandhi Nagar,
Vellore- 632006.
4. The Superintending Engineer,
Krishnagiri Electricity Distribution Circle,
(TANGEDCO) Krishnagiri-635002

+1cc to Mr.M.FAKKIR MOHIDEEN, Advocate, S.R.No. 43579

WP.No.16190 of 2018

SVN(CO)
TR(10/08/2018)