

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 02.08.2018

Coram

The Hon'ble Mr. Justice Satrugana Pujahari

Writ Petition No.19719 of 2018

and

W.M.P.Nos.23156 and 23157 of 2018

X. Francis Raja ...Petitioner

Vs.

1. The Chief General Manager (HR)
Office of the Chief General Manager Mine -1 & 1A,
NLC India Ltd., Neyveli Lignite Corporation Ltd.,
Neyveli.
2. The Chief Manager (HOHR)/Mine 1A,
Office of the Chief Manager (HR)/Mine 1A,
NLC India Ltd., Neyveli Lignite Corporation Ltd.,
Neyveli.
3. The Chief Manager (HOHR)
Security and Fire Service,
Office of the Security and Fire Service,
NLC India Ltd., Block -17,
Neyveli Lignite Corporation Ltd.,
Neyveli.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Certiorarified Mandamus to call for records of the respondents resulting in the first respondent's impugned order dated 23.07.2018 served on 27.07.2018, at about 5.00 p.m. and passed in O.O.No.CORP/HR/EB/NE/0651/2018-2, and to quash the same and direction directing the first respondent 1) to allow the petitioner to report duty on 01.09.2018 instead of 01.08.2018 2) to allow the petitioner to continue to work as Technician Grade II in Computer Service under the control of Chief Manager Mine -I, NLC India Ltd.

For Petitioner : Mr.V.R.Venkatesan

For Respondent : Mr.N.Nithayanandam
Standing Counsel

O R D E R

Heard Mr.V.R.Venkatesan, the learned counsel appearing for the petitioner and Mr.N.Nithayanandam, the learned Standing Counsel, who accepts notice on behalf of the respondents. On consent of the learned counsel for the parties, the Writ Petition is taken up for disposal.

2. The grievance of the petitioner, in this Writ Petition is that, though he was granted earlier leave by the first respondent, by the impugned order, without cancelling such leave, he has been directed to join duty on 01.08.2018, that too, while he is on his way to Malaysia to take up treatment for kidney disease.

3. The learned Standing Counsel appearing for the respondents submits that the respondents have no objection now allowing the petitioner to join in his new place of posting on 01.09.2018.

4. In view of such concession granted on the sub officer, the learned counsel appearing for the petitioner would submit that, the Writ Petition may be disposed of recording such submission.

5. Regard being had to the aforesaid facts and the submissions, this Writ Petition stands disposed of recording the concession granted by the first respondent allowing the petitioner to join in duty on 01.09.2018, notwithstanding the impugned order dated 23.07.2018. No costs. Consequently, connected Writ Miscellaneous Petitions are closed.

Sd/-
सत्यमेव जयते

Assistant Registrar (CS-IX)

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Sub Assistant Registrar

sd/mrm
To

1. The Chief General Manager (HR)
Office of the Chief General Manager Mine -1 & 1A,
NLC India Ltd., Neyveli Lignite Corporation Ltd.,
Neyveli.

2. The Chief Manager (HOHR)/Mine 1A,
Office of the Chief Manager (HR)/Mine 1A,
NLC India Ltd., Neyveli Lignite Corporation Ltd.,
Neyveli.

3. The Chief Manager (HOHR)
Security and Fire Service,
Office of the Security and Fire Service,
NLC India Ltd., Block -17,
Neyveli Lignite Corporation Ltd.,
Neyveli.

+1cc to Mr.N. Nithianandam, Advocate SR.No.53424

+1cc to Mr.M. Saravanakumar, Advocate SR.No.52787

GMV (04/09/2018)

Writ Petition No.19719 of 2018



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