

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 29.10.2018
Coram

The Hon'ble Mr.Justice Satrugana Pujahari

Writ Petition No.28307 of 2018

G.Bhas

...Petitioner

Vs.

1.The Chairman,
TANGEDCO,
No.144, Anna Salai,
Chennai-600 002.

2.The Chief Engineer/Distribution/Chennai South,
TANGEDCO,
No.144, Anna Salai,
Chennai-600 002.

3.The Superintending Engineer/CEDC South,
TANGEDCO,
K.K.Nagar,
Chennai-600 078.

...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 impugned order of the second respondent culminating in his proceedings in No.002419/58/Mu.NI.AA/P.1/2012-2, dated 12.09.2016 to quash the same and consequently direct the second respondent to consider the appeal preferred by the petitioner against the Final Order Ku.AA.No.012447/454/NI P -1/VO4/KO. 8(b) F.O.(V.P.605)/16-2, dated 05.07.2016 and dispose of the appeal on merit.

For Petitioner : Mr.B.L.Jayakandan

For Respondents : Mr. P.R.Dhilipkumar, SC

ORDER

Heard, Mr.B.L.Jayakandan, the learned counsel appearing for the petitioner and Mr.P.R.Dhilipkumar, learned Standing Counsel, who accepts notice on behalf of the respondents. With the consent of the learned counsel on either side, the Writ

Petition is taken up for disposal.

2. It appears that the petitioner being found guilty in disciplinary proceeding, was imposed with a penalty of ''stoppage of increment for one year with cumulative effect'' vide proceedings of the third respondent dated 05.07.2016. But he could not file the appeal in time. He gave a representation dated 30.08.2016 to allow him to present the appeal beyond the period of limitation by granting extension of time. But the same was rejected vide order of the second respondent dated 12.09.2016, indicating therein that the period of limitation has been lapsed. The petitioner thereafter, remained silent and now has come to this Court challenging such order of rejection.

3. It appears that the petitioner did not file the appeal in time but thereafter also without filing the appeal, he had made a representation to extend the time for filing the appeal. When the same was rejected, he remained silent for two years. Now, after the lapse of two years, he has come to this Court seeking a direction to the respondents to extend the time for filing the appeal that too without filing the appeal and seeking condonation of delay in filing the appeal. From the facts and situation, it appears that the petitioner is a recalcitrant litigant and also guilty of delay and laches. In such view of the matter, I am of the view that this writ petitioner does not deserve any sympathy. Hence, the writ petition stands dismissed at the stage of admission itself. No costs.

Sd/-
Assistant Registrar (CS-V)

//True copy//

सत्यमेव जयते
Sub Assistant Registrar

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To

1.The Chairman,
TANGEDCO,
No.144, Anna Salai,
Chennai-600 002.

2.The Chief Engineer/Distribution/Chennai South,
TANGEDCO,
No.144, Anna Salai,
Chennai-600 002.

3.The Superintending Engineer/CEDC South,
TANGEDCO,
K.K.Nagar,
Chennai-600 078.

+1cc to Mr.B.L.Jayakandan, Advocate SR.No.74424

+1cc to Mr.P.R.Dhilipkumar, Advocate SR.No.73989

Writ Petition No.28307 of 2018

MG (CO)

GMV (26/11/2018)



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