

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.09.2019

CORAM:

THE HONOURABLE MR.JUSTICE SUBRAMONIUM PRASAD

W.P.No.12786 of 2010

A.Kaliaperumal

.. Petitioner

Vs.

The Superintending Engineer,
Nagapattinam Electricity Distribution Circle,
The Tamil nadu Electricity Board,
Nagapattinam.

.. Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India, for a Writ of Certiorari, calling for the records relating to the impugned proceedings of the respondent herein in Ku.Aa.No.278/Nibi5/U1/Ko Appeals/10 dated 15.03.2010, quash the same.

For Petitioner : Mr.K.Govi Ganesan

For Respondents : Mr.P.R.Dilip Kumar, SC for TNEB

O R D E R

The instant writ petition has been passed filed challenging the order dated 15.03.2010. The petitioner was working as Commercial Inspector in the office of the Assistant Executive Engineer, Tamil Nadu Electricity Board, Nagapattinam. He was placed under suspension by the Assistant Executive Engineer, O&M Rural, Thiruvavarur on 29.09.2008. A show-cause notice dated 16.10.2008 was issued to the petitioner alleging that he misbehaved with the Assistant Engineer. The charges were framed against the petitioner. An order was passed against the petitioner for stoppage of the next annual increment for the period of two years with cumulative effect. The petitioner is challenging the enquiry proceedings mainly on the ground that, the enquiry officer held the enquiry exparte. The petitioner

refused to participated in the enquiry because he had no confidence on the enquiry officer. Against the order, the petitioner filed an appeal. The appellate authority by its proceedings dated 15.03.2010 in Ku.Aa.No.278/Nibi5/U1/Ko Appeals/10, modified the punishment to stoppage of one increment without cumulative effect.

2. The petitioner has already attained the age of superannuation. At this length of time, no useful purpose would be served the remanding back to the competent authority to conduct de novo enquiry. Considering this fact the writ petition is dismissed as infructuous. No Costs.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

Pkn.

To

The Superintending Engineer,
Nagapattinam Electricity Distribution Circle,
The Tamil nadu Electricity Board,
Nagapattinam.

+1cc to Mr.K.Govi Ganesan, Advocate sr.80837

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gp(co)
nr 05/11/2019

सत्यमेव जयते

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