

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.01.2019

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

W.P.No.7845 of 2010

K.Jayaraman

...Petitioner

Vs

1. The Chairman,
Tamil Nadu Electricity Board,
Anna Salai,
Chennai - 600 002.

2. The Chief Engineer/Personnel,
Tamil Nadu Electricity Board,
Anna Salai,
Chennai 600 002.

...Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus directing the respondents to appoint the petitioner as Labour Welfare Officer on and from 21.08.2008 as per (Permanent) B.P.(F.B) No.32, Administrative Branch dated 27.05.1994 and letter No.81626/774/G 56/G 561/ 2008 - 1 dated 21.08.2008 both issued by the second respondent and grant the petitioner all attendant benefits including retirement benefits.

For Petitioner : Mrs.Hema Sampath, Sr Counsel
for Mrs.R.Meenal

For Respondents : Mr.P.R.Dilipkumar

ORDER

The Petitioner has come up with this writ petition seeking a direction to the respondents to appoint him as Labour Welfare Officer on and from 21.08.2008, as per (Permanent) B.P.(F.B) No.32, Administrative Branch dated 27.05.1994 and letter No.81626/774/G 56/G 561/2008 - 1 dated 21.08.2008 issued by the second respondent and grant him all the attendant and retirement benefits.

2.According to the learned counsel for the petitioner, in terms of the Permanent B.P. (FB) No.32 dated 27.05.1994 and the

consequential communication dated 21.08.2008, issued by the second respondent, the petitioner is entitled for promotion to the post of Labour Welfare Officer as on 21.08.2008. However, his candidature was not considered, for the reasons best known to the respondents. Hence, the petitioner is before this Court with the present writ petition.

3.On the other hand, the learned counsel for the respondents, on instructions, submitted that the respondent Board is now, inclined to consider the claim of the petitioner, if he submits a fresh representation enclosing all the necessary documents in support of his claim. The said submission has been agreed by the learned counsel for the petitioner.

4.Considering the facts and circumstances of the case and having regard to the submissions now made by the learned counsel on either side, this Court directs the petitioner to approach the respondents with a fresh representation enclosing all the necessary documents within a period of two weeks from the date of receipt of a copy of this order. On such approach, the respondents shall consider the same and pass appropriate orders, on merits and in accordance with law, after affording due opportunity of hearing to the petitioner, within a period of four weeks thereafter.

5.Accordingly, this writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar (CS-VI)

//True Copy//

jas/rk
To

Sub Assistant Registrar

1. The Chairman,
Tamil Nadu Electricity Board,
Anna Salai, Chennai - 600 002.

2. The Chief Engineer/Personnel,
Tamil Nadu Electricity Board,
Anna Salai,
Chennai 600 002.

+1 cc to Mr.R.Meenal, Advocate, S.R.No.3132

+1 cc to Mr.P.R.Dhilipkumar, Advocate, S.R.No.3546

W.P.No.7845 of 2010

PM(CO)
SSM(12/04/2019).