

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :08.03.2019

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.6812 of 2019

R.P.Subramanian

..Petitioner

vs

1. The Chairman-cum-Manging Director
TANGEDCO (Tamil Nadu Generation
NPKRR Maaligai
TNEB Complex,
144, Anna Salai
Chennai - 600 002.

2. The Chief Engineer/Hydro
TANGEDCO
NPKRR Maaligai,
TNEB Complex,
144, Anna Salai
Chennai - 600 002.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to pass final order pursuant to the Judgement dated 20.03.2014 in C.C.No.65 of 2012 in respect of the petitioner's retirement and retirement benefits within the time limit fixed by this Hon'ble Court.

For Petitioner : Mr.M.Vijayakumar

For Respondents : Mr.P.R.Dhilipkumar
Standing counsel
for Tamil Nadu Electricity Board

W R D E R

The learned counsel for the writ petitioner states that the petitioner is placed under suspension on account of the pendency of the criminal case and the departmental disciplinary proceedings initiated under the Discipline and Appeal Rules.

2.It is contended that the criminal case ended with an order of acquittal and in respect of the departmental disciplinary proceedings, the enquiry officer submitted his final report on

28.06.2013 itself. Though the enquiry officer submitted his report, the disciplinary authority has not passed any final orders in the departmental disciplinary proceedings. Consequently, the writ petitioner is unable to get his terminal and retirement benefits.

3.The learned counsel for the writ petitioner made a submission that it is suffice if a direction is issued to conclude all the proceedings within a reasonable period of time.

4.Under these circumstances, without going into the merits of the matter, the 2nd respondent is directed to consider the writ petitioner based on the materials available on record and pass orders on merits and in accordance with law within a period of ten weeks from the date of receipt of a copy of this order. The writ petitioner is also directed to submit a fresh representation, setting out all the facts and details and the relevant records and documents along with the orders passed in the present writ petition.

5.With these directions, the writ petition stands disposed of. However, there shall be no order as to costs.

Sd/-
Assistant Registrar

//True Copy//

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To

Sub Assistant Registrar

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+1 cc to Mr.P.R.Dhilip Kumar, Advocate, S.R.No.22010

+1 cc to Mr.M.Vijayakumar, Advocate, S.R.No.22173

BR(CO)
SSM(26/03/2019) .

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