

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 15.02.2019

CORAM :
THE HONOURABLE MR. JUSTICE S.M. SUBRAMANIAM

W.P.No.12799 of 2018
and
W.M.P.No.15021 of 2018

R.Rajendran

... Petitioner

Vs.

- 1.The Chairman cum Managing Director,
Tanjedco/Anna Salai,
Chennai - 2.
- 2.The Chief Engineer (Personal)
Admin/TNEB, Tangedco Ltd.,
8th Floor, Eastern Wing,
No.144, Anna Salai, Chennai - 2.
- 3.The Chief Engineer (Distribution),
TNEB,
East Pondy Road, Villupuram.
- 4.The Superintending Engineer,
Adm-2, TNEB/Tangedco Ltd.,
Tiruvannamalai Electricity Distribution Circle,
Vengikkal,
Thiruvannamalai - 606 604.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to consider the petitioner's representations dated 20.01.2018, 11.01.2018 and 14.05.2018 and consequently direct the respondents to re-fix the seniority and put the petitioner in the proper place in seniority list.

For Petitioner : Mr.S.N.Subramani

O R D E R

This writ petition has been filed to direct the respondents to consider the petitioner's representations dated 20.01.2018, 11.01.2018 and 14.05.2018 and to consequently direct the respondents to re-fix the seniority and put the petitioner in the proper place in the seniority list.

2.The grievance of the writ petitioner is that the junior of the writ petitioner has already been promoted to the post of Junior Engineer Grade-II. However, the claim of the writ petitioner has not been considered by the respondents. In this regard, the writ petitioner submitted a representation on 14.05.2018 before the Superintending Engineer/4th respondent.

3.Promotion can never be claimed as a matter of right. However, consideration for promotion is the right of an employee. All promotions are to be made strictly in accordance with the promotion rules in force. At the time of undertaking the process of preparation of panel, the authorities competent are bound to consider the names of all the eligible persons, who are qualified and eligible for promotion to the higher posts. Mere submission of representation by the writ petitioner would not be sufficient to grant the relief as such sought for in the present writ petition.

4.Even in order to issue a direction to consider the representation, the petitioner has to establish his legal right. In the absence of any such details, no writ proceedings can be entertained. Thus, it is made clear that the claim of the writ petitioner is to be considered strictly with reference to the rules in force and in the event of any extension of grievances, then, the authorities competent shall consider the same in accordance with law.

With the above observations, the writ petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

1.The Chairman cum Managing Director,
TANGEDCO/Anna Salai,
Chennai - 2.

2.The Chief Engineer (Personnel)
Admin/TNEB, TANGEDCO Ltd.,
8th Floor, Eastern Wing,
No.144, Anna Salai, Chennai - 2.

3.The Chief Engineer (Distribution),
TNEB,
East Pondy Road, Villupuram.

4.The Superintending Engineer,
Adm-2, TNEB/ TANGEDCO Ltd.,
Tiruvannamalai Electricity Distribution Circle,
Vengikkal,
Thiruvannamalai - 606 604.

+1cc to M/s.S.N.Subramani, Advocate, S.R.No.14950

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SJ(CO)

rrs 14/03/2019



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