

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.10.2019

CORAM :

THE HON'BLE DR.VINEET KOTHARI, ACTING CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE C.SARAVANAN

W.A.No.1223 of 2016

- 1 M.Iruthayaraj,
Junior Engineer Gr.II,
110/33/11 KV Sub-Station,
Kambarasanpettai Trichy Electricity
Distribution Circle/Metro,
TANGEDCO,
Plot No.283, Door No.1/1210 10th Cross,
Vasan Valley, Trichy - 2.
- 2 K.Santhana Krishnan,
Junior Engineer Gr.II,
110/33/11 KV Sub-Station,
Murukeri Villupuram Electricity Distribution Circle,
TANGEDCO,
79 Sannadhi Street,
Marakanam, Marakanam Taluk,
Villupuram District.
- 3 N.Selvam,
Junior Engineer Gr.II,
110/11 KV Sub-Station,
Samayapuram Trichy Electricity Distribution
Circle/Metro,
TANGEDCO,
Door No.2/26 Keezha Theru, Kuttur Post,
Manachalnallur Taluk, Trichy - 621 216.
- 4 G.Gopalakrishnan,
Junior Engineer Gr.II,
110/11 KV Sub-Station,
Thanthonimalai O/o. AEE/O&M/Velliyanai,
Karur Electricity Distribution Circle,
TANGEDCO
No.7/240 Gandhi Kadai Veethi,
Vangal Post, Karur District - 639 116.

- 5 C.Shanmugasundaram,
Junior Engineer Gr.II,
Ennore Thermal Power House Chennai,
TANGEDCO,
6F, 6/5, Camp 3 ETPS Quarters,
Ennore, Chennai-600 057.
- 6 Tamil Nadu Power Engineers Organisation
Rep. by its General Secretary,
(Regd.No.2998/CNI)
27, Mosque Street,
Chepauk, Chennai-600 005. .Appellants/ Petitioners

-vs-

- 1 Tamil Nadu Generation & Distribution Corporation Ltd.
Rep. by its Chairman,
144, Anna Salai,
Chennai-600 002.
- 2 The Chief Engineer / Personnel
Tamil Nadu Generation & Distribution Corporation Ltd.,
144, Anna Salai,
Chennai-600 002.
- 3 V.Janarathanam,
Junior Engineer Gr.II,
TANGEDCO,
O/o. Superintending Engineer,
Chengalpet Electricity Distribution Circle,
Chengalpet.
- 4 R.Arumugam,
Junior Engineer Gr.II,
TANGEDCO,
O/o. Superintending Engineer,
Tirupathur Electricity Distribution Circle,
Tirupathur,
Vellore District.

- 5 N.Aruldoss,
Junior Engineer Gr.II,
TANGEDCO,
O/o. Superintending Engineer,
Chengalpet Electricity Distribution Circle,
Chengalpet.
- 6 J.Bheeman,
Junior Engineer Gr.II,
TANGEDCO,
O/o. Superintending Engineer,
Tirupur Electricity Distribution Circle,Tirupur.
- 7 S.Manickam,
Junior Engineer Gr.II,
TANGEDCO,
O/o. Superintending Engineer,
Tirunelveli Electricity Distribution Circle,
Tirunelveli.
- 8 A.Ravikumar,
Junior Engineer Gr.II,
TANGEDCO,
O/o. Superintending Engineer,
Vellore Electricity Distribution Circle,
Vellore, Vellore District.
- 9 D.Ravichandran,
Junior Engineer Gr.II,
TANGEDCO,
O/o. Superintending Engineer,
Vellore Electricity Distribution Circle,
Vellore.
- 10 R.Ravichandra Gowthaman,
Junior Engineer Gr.II,
TANGEDCO,
O/o. Superintending Engineer,
Trichy Electricity Distribution Circle/Metro,
Trichy.
- 11 J.Rajendran,
Junior Engineer Gr.II,
TANGEDCO,
O/o. Superintending Engineer,
Udumalpet Electricity Distribution Circle,
Udumalpet.

- 12 F.X.Joseph William Christie,
Junior Engineer Gr.II,
TANGEDCO,
O/o. Superintending Engineer,
Udumalpet Electricity Distribution Circle,
Udumalpet.
- 13 P.K.Tamilvanan,
Junior Engineer Gr.II,
TANGEDCO,
O/o. Superintending Engineer,
Coimbatore Electricity Distribution Circle/Metro,
Coimbatore.
- 14 A.Velumayil,
Junior Engineer Gr.II,
TANGEDCO,
O/o. Superintending Engineer,
Udumalpet Electricity Distribution Circle,
Udumalpet.
- 15 M.Ganesan,
Junior Engineer Gr.II,
TANGEDCO,
O/o. Superintending Engineer,
Trichy Electricity Distribution Circle/Metro,
Trichy.
- 16 P.Mahalingam,
Junior Engineer Gr.II,
TANGEDCO,
O/o. Superintending Engineer,
Coimbatore Electricity Distribution Circle/North,
Coimbatore.
- 17 B.Nandakumar,
Junior Engineer Gr.II,
TANGEDCO,
O/o. Superintending Engineer,
Vellore Electricity Distribution Circle,
Vellore.

- 18 N.Manimaran,
Junior Engineer Gr.II,
TANGEDCO,
O/o. Superintending Engineer,
Vellore Electricity Distribution Circle,
Vellore.
- 19 A.Manoharan,
Junior Engineer Gr.II,
TANGEDCO,
O/o. Superintending Engineer,
Coimbatore Electricity Distribution Circle/Metro,
Coimbatore.
- 20 A.Chandrasekaran,
Junior Engineer Gr.II,
TANGEDCO,
O/o. Superintending Engineer,
Sivaganga Electricity Distribution Circle,
Sivaganga.
- 21 R.Arunkumar,
Junior Engineer Gr.II,
TANGEDCO,
O/o. Superintending Engineer,
Coimbatore Electricity Distribution Circle/Metro,
Coimbatore.
- 22 M.Karupuswamy,
Junior Engineer Gr.II,
TANGEDCO,
O/o. Superintending Engineer,
Coimbatore Electricity Distribution Circle/North,
Coimbatore.
- 23 Y.G.Raghuraman,
Junior Engineer Gr.II,
TANGEDCO,
O/o. Superintending Engineer,
Vellore Electricity Distribution Circle,
Vellore.

- 24 S.Santhakumar,
Junior Engineer Gr.II,
TANGEDCO,
O/o. Superintending Engineer,
Vellore Electricity Distribution Circle,Vellore.
- 25 M.Baskaran,
Junior Engineer Gr.II,
TANGEDCO,
O/o. Superintending Engineer,
NCES/Udumalpet Electricity Distribution Circle,
Udumalpet.
- 26 S.Sakthivel,
Junior Engineer Gr.II,
TANGEDCO,
O/o. Superintending Engineer,
Trichy Electricity Distribution Circle/Metro,
Trichy.
- 27 K.Muthu,
Junior Engineer Gr.II,
TANGEDCO,
O/o. Superintending Engineer,
NCES/Tirunelveli Electricity Distribution Circle,
Tirunelveli.
- 28 V.S.Chozhan,
Junior Engineer Gr.II,
TANGEDCO,
O/o. Superintending Engineer,
Trichy Electricity Distribution Circle/Metro,
Trichy.
- 29 A.Sriram,
Junior Engineer Gr.II,
TANGEDCO,
O/o. Superintending Engineer,
Chennai Electricity Distribution Circle/Central,
Chennai.
- 30 P.Balasubramanian,
Junior Engineer Gr.II,
TANGEDCO,
O/o. Superintending Engineer,
Vellore Electricity Distribution Circle,
Vellore.

31 S.Mubarak Ali,
Junior Engineer Gr.II,
TANGEDCO,
O/o. Superintending Engineer,
Trichy Electricity Distribution Circle/Metro,
Trichy.

32 V.Nagarajan,
Junior Engineer Gr.II,
TANGEDCO,
O/o. Superintending Engineer Coimbatore,
Electricity Distribution Circle/Metro,
Coimbatore. . Respondents/ Respondents

Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 30.06.2016 passed in M.P.No.2 of 2015 in W.P.No.36838 of 2015 on the file of this Court.

Prayer in M.P.No.2 of 2015:

To grant an interim stay of operation of the impugned proceedings issued by the 2nd respondent bearing Memo No. 88345/330/G1/G12/2015-3, dt 11.11.2015.

Prayer in W.P.No.36838 of 2015:

Writ Petition filed under Article 226 of the Constitution of India Praying for issuance of a Writ of Ceritorarified Mandamus to call for the records relating to Memo No. 88345/330/G1/G12/2015-3 dt 11.11.2015 and to quash the same insofar as the said order grants promotion to the post of JE/ Electrical Grade I to respondents 3 to 32 overlooking the claim of the petitioners and consequently direct the respondents to consider the claim of the petitioners for promotion to the post of Junior Engineer Grade I (Electrical) within a time frame.

For Appellant : Mr.K.M.Ramesh

For Respondent : Mr.P.R.Dhilip Kumar
for respondent Nos.1 and 2

No Appearance
for respondent Nos.3 to 32

JUDGMENT

(Delivered by The Hon'ble Acting Chief Justice)

The present writ appeal has been filed by the appellants against the interim order passed by the learned Single Judge on 30.06.2016 in M.P.No.2 of 2015 in W.P.No.36838 of 2015 (M.Iruthayaraj and others v. Tamil Nadu Generation and Distribution Corporation Ltd. and others). By the said interim order, the learned Single Judge vacated the interim order and directed that the promotion, if any, made shall remain subject to the final decision in the writ petition. While doing so, the learned Single Judge has referred to the similar order passed in W.A.(MD) No.936 of 2016 by the Madurai Bench of this Court to avoid bringing the process of promotion to a standstill and directed that the promotion, if any, made shall remain subject to the final decision in the writ petition.

2. Having heard the learned counsel for parties, we are satisfied that no interference is required in the said interim order passed by the learned Single Judge allowing the promotion to take place on the basis of the seniority list prepared, while keeping the same subject to the final decision in the writ petition. However, we request the learned Single Judge to decide the writ petition expeditiously.

3. With the above observation, the writ appeal is dismissed. No costs. Consequently, C.M.P.No.15742 of 2016 is closed.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

bbr
To:

- 1 The Chairman
Tamil Nadu Generation & Distribution Corporation Ltd.
144, Anna Salai
Chennai-600 002.

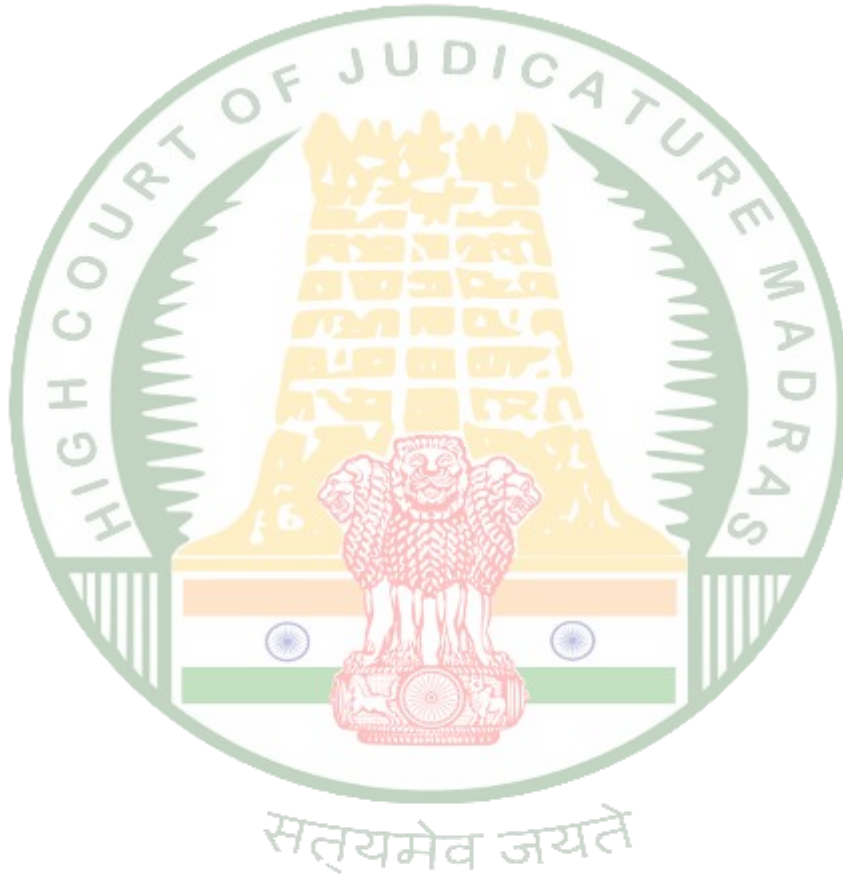
2 The Chief Engineer / Personnel
Tamil Nadu Generation & Distribution Corporation Ltd.
144, Anna Salai
Chennai-600 002.

+1cc to Mr.K.M.Ramesh , Advocate SR.No. 88522

W.A.No.1223 of 2016

ssd

A.SK(22/11/2019)



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