

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.01.2019

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.43163 of 2016

and

W.M.P.Nos.36995 & 36996 of 2016

B. Chockalingam

...Petitioner

..Vs..

1. The Secretary,
Ministry of Coal,
Room No.317-A, Shastry Bhavan,
New Delhi - 110 001.
 2. The Chief Vigilance Commissioner,
Satarkta Bhawan,
GPO Complex,
Block-A, INA,
New Delhi - 110 023.
 3. The Chief Vigilance Officer,
Ministry of Coal,
Room No.311-A, B Wing,
Shastry Bhavan,
New Delhi - 110 001.
 4. The Chairman cum Managing Director,
M/s.Neyveli Lignite Corporation India Ltd.,
Neyveli - 607 801.
 5. The Chief Vigilance Officer,
M/s.Neyveli Lignite Corporation India Ltd.,
Neyveli - 607 801.
- ...Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first respondent herein to initiate strict action in accordance with law against the erring ex-officers of the NLC (against whom 1st respondent has found the violation/deviation of rules to be true) based on the report sent by the office of the Chief Vigilance Officer, NLC, Neyveli and the reference made by the NLC, Neyveli to the 1st respondent based on the complaint of the

petitioner dated 24.10.2015 with reference to the re-appointment of one Mr.Chitti Madhu Sundana Rao against the NLC Service Rules.

For Petitioner : Mr.S.Silambanan, Senior Counsel
for M/s.Kaavya Silambanan

For Respondents: No appearance for R1 to R3

Mr.N.Nithianandam for R4 & R5

O R D E R

This Writ Petition has been filed seeking for a direction, directing the first respondent herein to initiate strict action in accordance with law against the erring ex-officers of the NLC (against whom 1st respondent has found the violation/deviation of rules to be true) based on the report sent by the office of the Chief Vigilance Officer, NLC, Neyveli and the reference made by the NLC, Neyveli to the 1st respondent based on the complaint of the petitioner dated 24.10.2015 with reference to the re-appointment of one Mr.Chitti Madhu Sundana Rao against the NLC Service Rules.

2. It is not known how the petitioner can maintain the writ petition when he was removed from service by order dated 20.07.2009 and that order is also under challenge and the same is still pending. It is also not known as to how the petitioner can question an appointment took place in the year 2008.

3. Learned Senior Counsel for the petitioner is unable to explain the sufficient cause for condoning the huge delay in challenging the appointment that took place in the year 2008. Therefore, this Court is unable to maintain the writ petition. Hence, this Writ Petition fails and the same is accordingly dismissed. No costs. Consequently, connected miscellaneous petitions are closed. सत्यमेव जयते

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

rli/tsi

To

1. The Secretary,
Ministry of Coal,
Room No.317-A, Shastry Bhavan,
New Delhi - 110 001.
2. The Chief Vigilance Commissioner,
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M/s.Neyveli Lignite Corporation India Ltd.,
Neyveli - 607 801.
5. The Chief Vigilance Officer,
M/s.Neyveli Lignite Corporation India Ltd.,
Neyveli - 607 801.

+1cc to Mr.N.Nithianandam, Advocate, S.R.No.1708
+1cc to Mr.S.Silambanan, Advocate, S.R.No.1073

W.P.No.43163 of 2016
and

W.M.P.Nos.36995 & 36996 of 2016

AK(CO)
CS/13/02/2019

सत्यमेव जयते

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