

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.09.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI
W.P.No.21896 of 2019

R.Venkatesan

... Petitioner

Vs.

1.The Chairman,
Tamil Nadu Electricity Board,
No.800, Anna Salai,
Chennai - 2.

2.The Chief Engineer/Personnel
Tamil Nadu Generation and Distribution Corporation Ltd.,
Administrative Branch,
No.144, Anna Salai,
Chennai - 600 002.

3.The Superintending Engineer,
Nagai Electricity Distribution Circle,
Nagapattinam,
Nagapattinam District.

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents to give promotion to the petitioner as Junior Engineer Grade - I notionally from the date of Junior promotion date and give pay revision and notional fixation of pay, annual increment and all other benefits by taking into account the benefits given to the petitioner by the 3rd respondent proceedings in செ.மு.ஆ.எண்.2127.நி.பி 3.உ.1கோ.உ.உ.2018 நாள் 23.07.2018.

For Petitioners : Mr.P.Ganesan

For Respondents : Mr.P.R.Dhilipkumar
Standing counsel (TNEB)

O R D E R

Mr.P.R.Dhilipkumar, learned standing counsel takes notice for the respondents. By consent, this writ petition has been taken up for final disposal at the admission stage itself.

2.The petitioner was appointed as apprentice in the electrical wing on 10.12.1982 and was promoted as junior engineer Grade-II on 03.07.1993. During that time, the petitioner was removed from service in a criminal case on 07.06.2010 and thereafter re-instated into service as a junior engineer grade-II on 07.12.2011. The petitioner made a representation to his immediate superior to consider him for promotion from the date of junior promotion as junior engineer grade-I. Since the same was not considered the petitioner made representations on 07.05.2011 and 16.05.2011 and the petitioner was given promotion notionally from date of junior promotion i.e.09.07.1996 and without notional fixation of pay as per the labour court award. Again the petitioner made a representation to the respondents on 15.04.2016 and 28.06.2016, for which the 3rd respondent vide proceedings dated 23.07.2018 has fixed the petitioner's pay and other benefits only prospectively. Aggrieved by the proceedings, the petitioner has filed the present petition.

3.Heard both sides.

4.The learned counsel for the petitioner submitted that it would suffice if a direction is given to the respondents to consider the representation of the petitioner dated 28.06.2016 and pass orders within a reasonable time.

5.The learned standing counsel appearing for the respondents Board conceded to the request made by the petitioner.

6.Thus, without expressing any opinion on the merits of the case, this Court is inclined to direct the 2nd respondent to consider the representation of the petitioner dated 28.06.2016 and pass orders on merits and in accordance with law within a period of eight weeks from the date of receipt of copy of this order.

7.With the above directions, this Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

rm
To

1.The Chairman,
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Nagapattinam District.

+1cc to Mr.P.R.Dhilipkumar , Advocate SR.No. 76478

W.P.No.21896 of 2019

pm
A.SK(09/10/2019)

सत्यमेव जयते

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