

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 11.01.2019

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.No.7981 of 2017

and

WPMP Nos.8722 and 8723 of 2017

M.Singaram

..Petitioner

Vs.

1. The Chief Engineer (Personnel),
Tamil Nadu Generation & Electricity
Distribution Corporation Ltd.,
No.144, Anna Salai, Chennai -2.
 - 2.The Superintending Engineer,
Kallakurichi Electricity Distribution Circle,
TANGEDCO, Kallakurichi.
 - 3.The Assistant Executive Engineer,
Kallakurichi Electricity Distribution Circle,
Town, Shankarapuram, Kallakurichi.
 - 4.The Assistant Engineer (O&M),
Pandalam 606 402.
- ..Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of certiorarified Mandamus to call for the entire records connected with the impugned order passed by the second respondent vide K.Aa.No.3348/491/Ni.2/Uthavi.3/K0.O.Ns/2016 dated 22.10.2016 and quash the same and directing the respondents to sanction all terminal retirement benefits to the petitioner with interest.

For Petitioner : Mr.R.D.Ashok Kumar

For Respondents : Mr.M.Fakkirmohideen

O R D E R

This writ petition is filed challenging the order of the second respondent dated 22.10.2016, imposing the punishment of reduction of the petitioner's pay to the minimum pay band in the post of Field Assistant for the period of three years, which shall operate for his future increments.

2. Though this writ petition is filed challenging the order of punishment by raising very many contentions on the merits of the matter, this Court is not inclined to go into the same and express any view, for the simple reason that it is admitted by the learned counsel for the petitioner that the petitioner has already preferred an appeal before the first respondent challenging the said order of punishment and the said appeal is still pending. He also submitted that the second respondent, who passed the impugned order, also issued two communications to the first respondent dated 26.07.2018 and 23.08.2018 seeking for certain advise as to whether the punishment imposed on the petitioner can be cancelled and as to whether the petitioner can be given exception from the recovery of the amount referred to in the order of punishment.

3. Learned counsel appearing for the respondents submitted that since the petitioner has already approached the first respondent and filed the appeal, the same will be considered and appropriate orders will be passed, also by taking note of the above said two communications issued by the second respondent.

4. Therefore, this Court, without expressing any view on the merits and contentions raised by the respective parties, is inclined to dispose the present writ petition only with a direction to the first respondent to dispose the appeal filed by the petitioner on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order. With the above direction, the writ petition is disposed of accordingly. No costs. The connected miscellaneous petitions are closed.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

vri

To

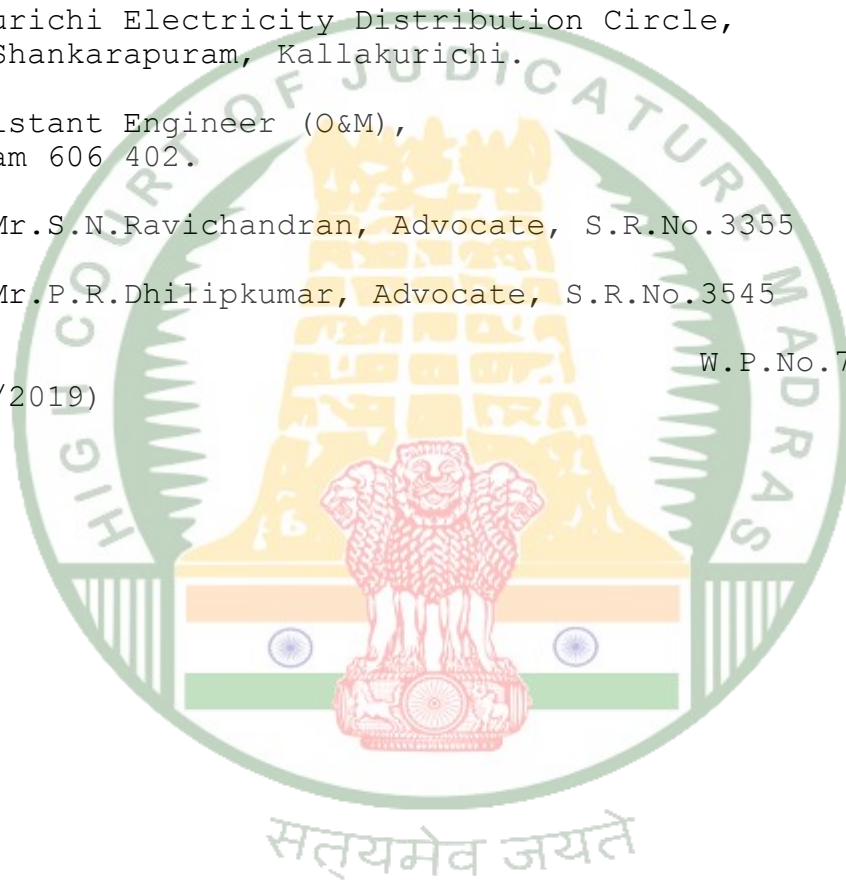
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+1 cc to Mr.S.N.Ravichandran, Advocate, S.R.No.3355

+1 cc to Mr.P.R.Dhilipkumar, Advocate, S.R.No.3545

W.P.No.7981 of 2017

SSM(31/01/2019)



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