

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.04.2019

CORAM:

THE HONOURABLE Dr. JUSTICE ANITA SUMANTH

WP. No.21518 of 2017

S.Muthupandi

... Petitioner

--VS--

1.The Chief Engineer/Personnel
Tamil Nadu Generation and Distribution Corporation
(Administrative Branch)
No.144, Anna Salai
Chennai-600002.

2.The Superintending Engineer
Dindigul Electricity Distribution Circle
Tamil Nadu Generation and Distribution Corporation
Dindigu,
Dindigul District.

... Respondents

Prayer:- Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the 1st respondent to promote the petitioner herein as Driver and allot and specify the circle name for the posting of driver.

For Petitioner : Mr.K.Selvaraj
For Respondents : Mr. P.R.Dhilip Kumar
Standing Counsel

O R D E R

The limited prayer of the petitioner in this matter is for a mandamus, directing the 1st respondent/Chief Engineer/Personnel to promote him as a driver and allot and specify a circle name in the post of driver.

2. The petitioner had joined as a Mazdoor in the Tamil Nadu Generation and Distribution Corporation on 10.06.2010. He was promoted to the position of a helper with effect from 27.11.2014 and at the time of institution of the writ petition was working as helper. The next cadre of promotion being a driver, the petitioner had applied for the same by way of several representations dated 07.11.2016, 06.06.2017 and 17.06.2017.

4. The minimum qualification necessary for promotion to the post of driver was possession of the requisite licences and basic educational qualification of 8th standard. Since the petitioner had not passed the 8th standard originally, he had, after joining the Tamil Nadu Electricity Board Service and after obtaining proper permission from the said Board, passed the GATE course, equivalent to 8th standard.

5. On 08.09.2015, he was granted a course completion certificate by the Manonmaniam Sundaranar University. Despite the fact that the aforesaid certificates were placed along with his representations, the petitioner has not been appointed thus far, though according to him, the promotion list for other persons had been finalized without inclusion of his name.

6. Mr.P.R.Dhilip Kumar, learned Standing Counsel appearing for the respondent fairly states that the respondent will reconsider the representations and requests of the petitioner, subject to satisfaction of all required formalities and qualifications.

7. In these circumstances, the petitioner is permitted to approach the 1st respondent by way of a fresh representation including all annexures, being necessary evidence of qualifications as well as other requests details and the 1st respondent is directed to dispose of the representation within a period of six(6) weeks after hearing the petitioner.

8. This writ petition is disposed of in the above terms. No costs.

Sd/-
Deputy Registrar(C.S)

//True Copy//

Sub Assistant Registrar

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To

1.The Chief Engineer/Personnel
Tamil Nadu Generation and Distribution Corporation
(Administrative Branch)
No.144, Anna Salai
Chennai-600002.

2.The Superintending Engineer
Dindigul Electricity Distribution Circle
Tamil Nadu Generation and Distribution Corporation
Dindigu, Dindigul District.

+1 cc to Mr.K.Selvaraj, Advocate, Sr.No. 68668
+1 cc to Mr.P.R.Dhilip Kumar, Advocate, Sr.No. 39585

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PA (CO)
CSL/17.05.2019



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