

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.10.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.30178 of 2019

G.Tamiziniyan

... Petitioner

Vs.

1. The Chairman,
Tamil Nadu Generation and Distribution Corporation Limited,
(TANGEDCO),
NPKRR Maaligai,
No.144, Anna Salai,
Chennai - 600 002
 2. Chief Engineer - Distribution,
Tamil Nadu Generation and Distribution Corporation Limited,
(TANGEDCO),
Villupuram Region,
Villupuram
 3. Superintendent Engineer,
O/o the Superintending Engineer,
Cuddalore Electricity Distribution Circle,
Capper Hills,
Cuddalore - 4
 4. Assistant Engineer,
Operation & Maintenance,
Lalpet - 608 303
Cuddalore District
- ... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records pertaining to impugned memo No.451/ SE/CEDC/Cud/Adm.1/A.3/ F.Sus/2018 dated 15.07.2018 issued by the third respondent and quash the same as illegal and consequently permit the petitioner to rejoin duty / service as Commercial Assistant with all attendant / consequential benefits.

For Petitioner : Mr.R.Kumaravel
For Respondents : Mr.Fakkil Mohideen

O R D E R

By consent, this writ petition is taken up for final disposal at the admission stage itself.

2.The case of the petitioner is that the petitioner was appointed as Helper in the year 2009, and promoted as Field Assistant and then Commercial Assistant in the year 2014. While he was in service, a criminal case relating to Prevention of Corruption Act was registered and immediately thereafter he was arrested and remanded to judicial custody. Thereafter the third respondent suspended the petitioner on 15.07.2018, and till date the same has not been revoked. In this regard, the petitioner made a representation to the third respondent. Now challenging the suspension order, the present writ petition has been filed.

3.Heard both sides.

4.The learned counsel for the petitioner submitted that though the petitioner sought for a larger relief, it would suffice if a direction is issued to the respondent concerned to consider the representation of the petitioner seeking revocation of suspension order.

5. When the authority is well within the power to suspend a person, when the person is involved in a case relating to Prevention of Corruption Act, I am not inclined to consider the prayer sought for in this writ petition however, considering that the learned counsel for the petitioner has limited the prayer, this Court without going into the merits of the case, directs the third respondent to consider the representation dated 26.08.2019 of the petitioner and pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of copy of this order.

6.With the above direction, this writ petition stands disposed of. No costs.

s/d-

Assistant Registrar(J)

True Copy

Sub-Assistant Registrar

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To

1.The Chairman,
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(TANGEDCO),
NPKRR Maaligai,
No.144, Anna Salai,
Chennai - 600 002

2.Chief Engineer - Distribution,
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Cuddalore - 4

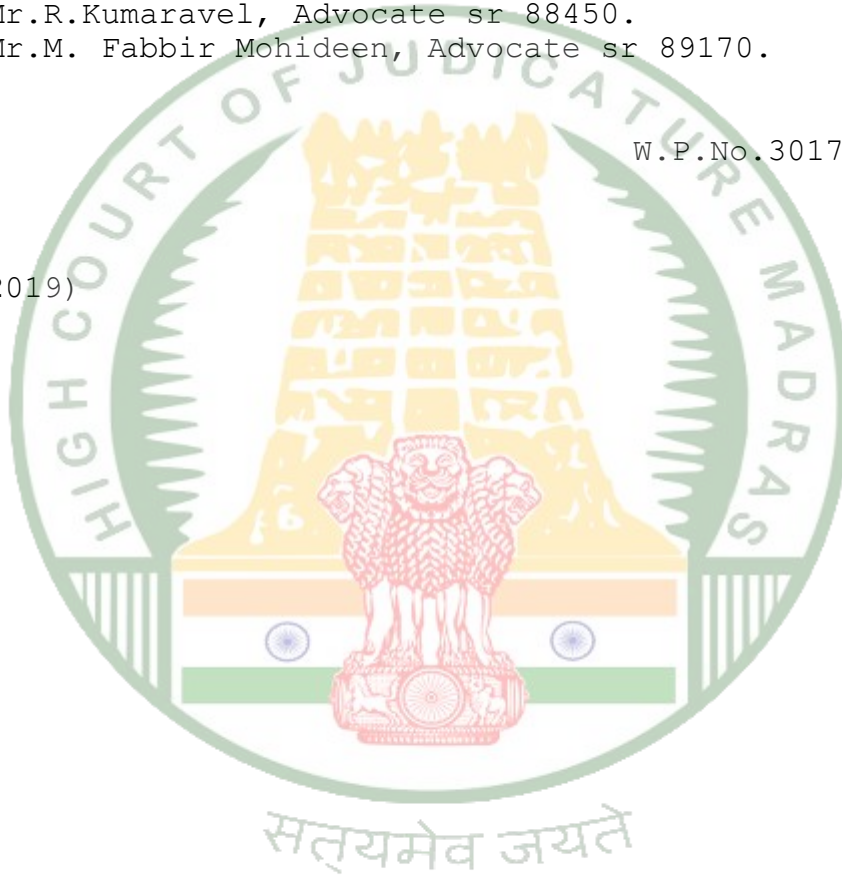
4. Assistant Engineer,
Operation & Maintenance,
Lalpet - 608 303
Cuddalore District

+1 CC to Mr.R.Kumaravel, Advocate sr 88450.

+1 CC to Mr.M. Fabbir Mohideen, Advocate sr 89170.

W.P.No.30178 of 2019

SP(11/11/2019)



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