

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.12.2019

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.34100 of 2019

R.Nandakumar

... Petitioner

Vs.

1. The Chairman,
Tamil Nadu Electricity General and Distribution
Corporation Limited,
No.144, Annasalai,
Chennai 600 002.
 2. The Chief Engineer,
Tamil Nadu Electricity General and Distribution
Corporation Limited,
No.144, Annasalai,
Chennai 600 002.
 3. The Superintending Engineer,
Tamil Nadu Generation and Distribution Corporation Limited,
Vellore District.
 4. The Assistant Executive Engineer,
(Operation and Maintenance),
Tamil Nadu Generation and Distribution Corporation Limited,
Arcot Rural, Vellore District.
- ..Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 24.05.2018 and thereby direct the respondents to reinstate the petitioner into service from 20.11.2017 with all consequential monetary and other service benefits.

For Petitioner	: B.Gopalakrishnan
For Respondents	: Mr.M.Fakkir Mohideen Standing Counsel

O R D E R

This writ petition has been filed seeking for the issue of writ of Mandamus directing the 3rd respondent to consider the representation made by the petitioner dated 24.05.2018 and to revoke the suspension and permit the petitioner to join the service.

2. The case of the petitioner is that he joined as a Helper Trainee in the year 2009 and thereafter, he was promoted to the post of Commercial Assistant in the year 2014. Based on the complaint given by one Tmt.Bhuvaneswari, before the Inspector of Police, Vigilance and Anti Corruption, Vellore, an FIR came to be registered in Crime No.12 of 2017, under Section 7 and 13(2) read with 13(1) (d) of the Prevention of the Corruption Act, 1988. The petitioner was arrested and remanded to judicial custody and in the meantime, the petitioner was suspended from service pending grave criminal charges. The grievance of the petitioner is that the petitioner is being kept under prolonged suspension and therefore, he has made a representation to the respondent on 24.05.2018, requesting for revocation of the suspension and since, the same has not been considered, the present writ petition has been filed before this Court.

3. Heard the learned counsel for the petitioner and the Mr.M.Fakkir Mohideen, learned Standing Counsel for the respondents.

4. Taking into consideration the facts and circumstances of the case and the limited relief that has been sought for by the petitioner in this writ petition, this Court without going into the merits of the case, directs the 3rd respondent to consider the representation of the petitioner dated 24.05.2018 and deal with the same strictly in accordance with law and pass appropriate orders within a period of four weeks from the date of receipt of copy of this order. The petitioner is directed to give a fresh representation along with a copy of this order and the copy of representation dated 24.05.2018 to the 3rd respondent.

5. This writ petition is disposed of with the above directions. No costs.

s/d-
Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

To

1. The Chairman,
Tamil Nadu Electricity General and Distribution
Corporation Limited,
No.144, Annasalai,
Chennai 600 002.
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Tamil Nadu Electricity General and Distribution
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Tamil Nadu Generation and Distribution Corporation Limited,
Vellore District.
 4. The Assistant Executive Engineer,
(Operation and Maintenance),
Tamil Nadu Generation and Distribution Corporation Limited,
Arcot Rural, Vellore District.
- +1 CC to Mr.M.Fakkir Mohideen, Advocate sr 102759
+1 CC to Mr.B. Gopala Krishnan, Advocate sr 102436.

W.P.No.34100 of 2019

PVS (CO)
SP(21/01/2020)

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