

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 11.03.2019

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN**W.P(MD)No.2255 of 2019**
and W.M.P(MD)No.1786 of 2019

A.Mohamed Ibrahim

... Petitioner

Vs.

1.Tamil Nadu Generation and Distribution
Corporation Limited,
Rep. by its Chairman and Managing Director,
NPKRR Maaligai,
144, Anna Salai, Chennai - 600 002.

2.The Chief Engineer/Personnel,
TANGEDCO Limited,
NPKRR Maaligai,
144, Anna Salai, Chennai - 600 002.

3.The Superintending Engineer,
Office of the Superintending Engineer,
Karur Electricity Distribution Circle,
Karur - 2.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the respondents to permit the petitioner to join duty as Assistant Engineer/Electrical (Trainee) under the services of the first respondent.

For Petitioner : Mr.R.Karunanidhi
For Respondents : Mrs.S.Srimathy,
Special Government Pleader.

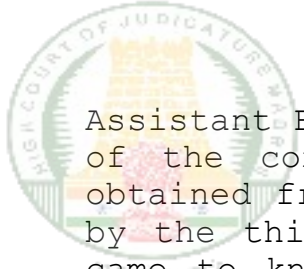
ORDER

This writ petition has been filed seeking issuance of a writ of Mandamus, to direct the respondents to permit the petitioner to join duty as Assistant Engineer/Electrical (Trainee) under the services of the first respondent.

2.Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents.

<https://hcservices.ecourts.gov.in/hcservices/>

3.The case of the petitioner is that he was appointed as



Assistant Engineer/Electrical (Trainee) with some conditions and one of the conditions is to produce a physical Fitness Certificate obtained from the Medical Officer, by memo, dated 31.03.2017 issued by the third respondent. After medical examination, the petitioner came to know that he has colour defective vision. Thereafter, the third respondent, vide letter, dated 31.10.2017 sent a letter to the Regional Medical Board, Thanjavur to examine the petitioner, who in turn, directed the petitioner to appear for medical examination on 01.12.2017 and the Regional Medical Board submitted a report dated 23.02.2018, stating that they could not give the report, since no norms were provided by the respondents. Hence, the petitioner has sent a representation to the respondents on 16.08.2018. Since the same has not been considered by the respondents so far, the petitioner has filed the present Writ Petition.

4.The learned Special Government Pleader appearing for the respondents submitted that on the basis of the report submitted by the Medical Board, the respondents are inclined to take a policy decision.

5.In such view of the matter, the respondents shall take such a decision and the case of the petitioner be considered in line with the report of the Medical Board, on merits and in accordance with law, after affording due opportunity of hearing to the petitioner. Such an exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order.

6.With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar (CS IV)

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To

1.Tamil Nadu Generation and Distribution Corporation Limited,
Rep. by its Chairman and Managing Director, NPKRR Maaligai,
144, Anna Salai, Chennai - 600 002.

2.The Chief Engineer/Personnel,
TANGEDCO Limited, NPKRR Maaligai,
144, Anna Salai, Chennai - 600 002.



3.The Superintending Engineer,
Office of the Superintending Engineer,
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+1CC to Mr.R.KARUNANITHI , Advocate SR.No. 53319.
+1CC to The Special Government Pleader SR.No. **53202**.

W.P (MD) No.2255 of 2019
11.03.2019

DS/ /SAR- (28.03.2019) 3P 6C