



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :19.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

WP (MD) No.13618 of 2016

and

WMP (MD) Nos.10153 to 10155 of 2016

R.K.Kanagaraj

... Petitioner

Vs.

1.The State of Tamil Nadu,
Represented by its Principal Secretary,
Department of Personnel and
Administrative Reforms (N) Department,
Fort Saint George,
Chennai - 600 009.

2.The Secretary,
Tamil Nadu Electricity Generation and
Distribution Corporation Limited,
44, Anna Salai,
Chennai - 600 002.

3.The Regional Chief Engineer,
Tamil Nadu Generation and
Distribution Corporation Ltd,
Tirunelveli Region,
Tirunelveli.

4.The Superintending Engineer,
Tamil Nadu Generation and
Distribution Corporation Ltd,
Virudhunagar Distribution,
Virudhunagar.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order in Ku.Aa.No.011635/466/NiPi4/U.1/Kho.Tha.Ni/2015-2 dated 11.03.2016 on the file of the Respondent No.4 and the Impugned Proceedings in Letter (Ms) No.43/N/2015-3, dated 26.04.2016 on the file of the Respondent No.1 and the consequential Impugned Order in Memorandum (Per) No.31294/A18/A181/2016-1 dated 27.6.2016 on the file of the Respondent No.2 and quash the same as illegal and consequently, for



a direction, directing the respondent No.4 to reinstate the petitioner in the post of Junior Engineer (Grade-I), within the time period stipulated by this Court.

For Petitioner	: Mr.T.Lajapathi Roy
For Respondent No.1	: Mrs.J.Padmavathy Devi, Special Government Pleader
For Respondent Nos.2 to 4	: Mr.G.Kasinathadurai

ORDER

This writ petition has been filed seeking to quash the order in Ku.Aa.No.011635/466/NiPi4/U.1/Kho.Tha.Ni/2015-2 dated 11.03.2016 on the file of the respondent No.4 and the proceedings in Letter (Ms) No.43/N/2015-3, dated 26.04.2016 issued by the respondent No.1 and the consequential order in Memorandum (Per) No.31294/A18/A181/2016-1 dated 27.6.2016 issued by the respondent No.2 and consequently, for a direction to the respondent No.4 to reinstate the petitioner into service.

2.The case of the petitioner is that on account a false criminal case registered against him, he was placed under suspension by proceedings dated 04.01.2002 and disciplinary proceedings were also initiated against him, but the same have not been completed yet. Hence, seeking to quash the impugned orders and proceedings, the petitioner is before this Court.

3.Though, the prayer in this writ petition, is to quash the impugned orders and proceedings, the learned Counsel for the petitioner confined the prayer to the extent of seeking a direction to the respondents to consider the claim of the petitioner in line with the judgment of the Hon'ble Supreme Court in the case of **Ajay Kumar Choudhary Vs Union of India and another**, reported in (2015) 7 SCC 291.

4.The learned Special Government Pleader and the learned Standing Counsel appearing for the respective respondents submitted that the case of the petitioner would be considered accordingly.

5.Under such facts and circumstances of the case and having regard to the submissions made by the learned Counsel on either side, this Court, without going into the merits of the case, directs the respondents to consider the case of the petitioner, on merits and in accordance with law and also in the light of the decision in **Ajay Kumar Choudhary's** case, cited supra and pass appropriate orders, after affording opportunity of hearing to the petitioner, within a period of six weeks from the date of receipt of a copy of this order.

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

6.The writ petition is disposed of, on the above terms. No



costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CRL SIDE)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Principal Secretary,
Department of Personnel and
Administrative Reforms (N) Department,
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2.The Secretary,
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3.The Regional Chief Engineer,
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Tirunelveli Region,
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4.The Superintending Engineer,
Tamil Nadu Generation and
Distribution Corporation Ltd,
Virudhunagar Distribution,
Virudhunagar.

+1cc to Mr.G.Kasinathadurai, Advocate, SR.No.55410
+1cc to Mr.T.Lajapathi Roy, Advocate, SR.No. 55254
+1cc to M/s.Special Government Pleader,SR.No. 55356

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dsk

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