

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.12.2020

CORAM

THE HON'BLE MR.JUSTICE R. SURESH KUMAR

W.P.No.17639 of 2020

K.Sivakumar

..Petitioner

-Vs-

1. Tamilnadu Generation and Distribution Corporation
Rep by its Chairman, No 144, Anna salai, Chennai-2
2. The Chief Enginner (Personnel)
Tamil Nadu Generation and Distribution
Corporation, No.144, Anna Salai, Chennai-2
3. The Superintending Engineer
Udumalpettai Electrcity Distribution circle
Udumalapettai
4. The Vigilance officer
TANGEDCO LTD, 144, Anna Salai, Chennai-2. ..Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issue of a Writ of Mandamus directing the respondents to absorb the petitioner as a Mazdoor on par with his juniors with all consequential benefits by considering the representation dated 17.2.2014 and 08.05.2018.

For Petitioner : Mr.S.N.Ravichandran
For Respondents : Mr.Anand Gopalan
for M/s.T.S.Gopalan and Co.,

O R D E R

The prayer sought for herein is for a writ of Mandamus directing the respondents to absorb the petitioner as a Mazdoor on par with his juniors with all consequential benefits by considering the representation dated 17.2.2014 and 08.05.2018.

2. It is the claim of the petitioner that he had been engaged through a contractor under the respondent TANGEDCO to work as Helper (in Tamil "கனப்பணி உதவியாளர்"). He had been working for some time and thereafter the issue with regard to the similar persons of several thousands had been decided by a Committee called Justice Khalid Committee and accordingly number of

persons who had been engaged and disengaged subsequently like the petitioner, had been identified and a list had been prepared by the said Justice Khalid Committee, where according to the petitioner, his name also has found place. However, the grievance of the petitioner is that, though some of the juniors whose name found place in the said list, had been given appointment or engagement, the said gesture has not been shown to the petitioner and therefore, in order to get such appointment, the petitioner has given a representation earlier on 17.02.2014 and later on 18.05.2018. However, since such representations have not been considered by the respondents, he has come out with the present writ petition with the aforesaid prayer.

3. Mr.S.N.Ravichandran, learned counsel for the petitioner, pointing out all these aspects as has been averred in the representations itself, would submit that, the petitioner would be satisfied if the said representations are considered by the respondents and an order is passed to that effect.

4. I have heard Mr.Anand Gopalan for M/s.T.S.Gopalan & Co., appearing for the respondent TANGEDCO, who on instructions, would submit that, whether the claim made by the petitioner is worth to be considered or not will be examined and whatever he has stated in the representations would be examined and accordingly a decision would be taken by the respondents on merits and in accordance with law within a stipulated time that may be fixed by this Court.

5. The said submissions made by the learned counsel for both sides have been taken into consideration and having regard to the submissions and by taking into the account the innocuous nature of the prayer in the writ petition, this Court is inclined to dispose of this writ petition by passing the following order.

6. That the respondents, especially the third respondent is hereby directed to consider the representations submitted by the petitioner on 17.02.2014 and 08.05.2018 and decide the same on merits and in accordance with law and communicate the decision to the petitioner within a period of two months from the date of receipt of a copy of this order.

7. With the above direction, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(L.A)

//True Copy//

Sub Assistant Registrar

To

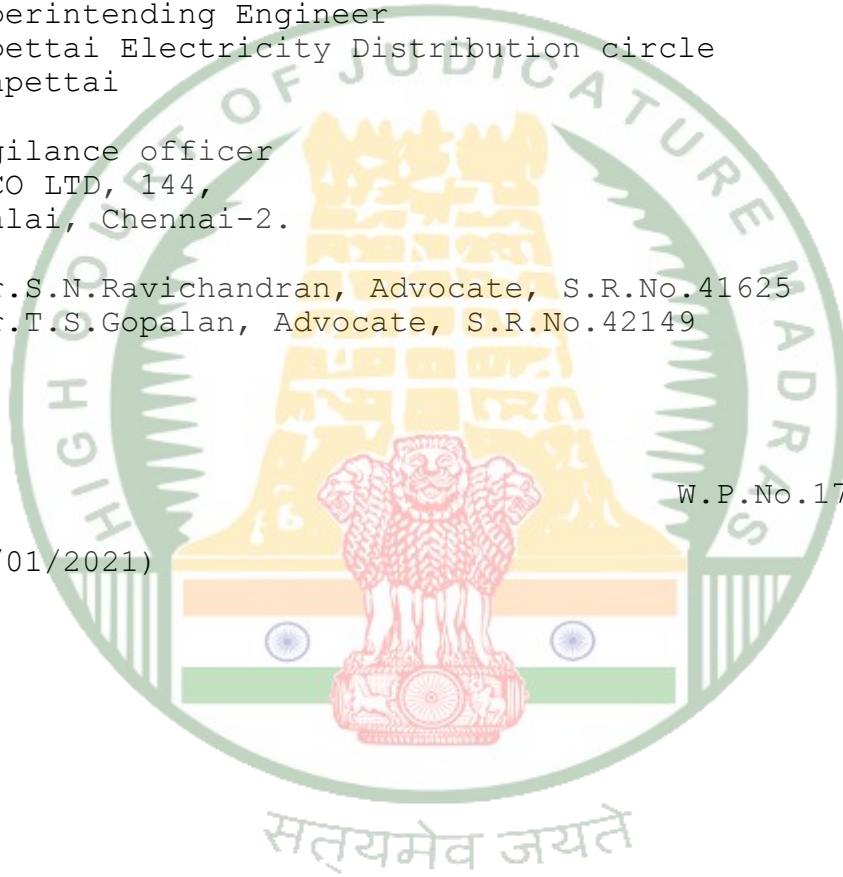
1. The Chairman
Tamilnadu Generation and Distribution Corporation
No 144, Anna salai, Chennai-2
2. The Chief Engineer (Personnel)
Tamil Nadu Generation and Distribution Corporation,
No.144, Anna Salai, Chennai-2
3. The Superintending Engineer
Udumalpettai Electricity Distribution circle
Udumalapettai
4. The Vigilance officer
TANGEDCO LTD, 144,
Anna Salai, Chennai-2.

+1cc to Mr.S.N.Ravichandran, Advocate, S.R.No.41625

+1cc to Mr.T.S.Gopalan, Advocate, S.R.No.42149

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rr ii (18/01/2021)



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