



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.11.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD).No.13590 of 2014

N.Bashier

... Petitioner

-Vs-

1.The Chairmen,

Tamil Nadu Electricity Board,
NPKRR Maligai,
Anna Salai, Chennai 600 002.

2.The Chief Engineer (Distribution)

Madurai Region,
K.Pudur, Madurai 625 007.

3.The Superintending Engineer (Distribution),

Madurai Region, K.Pudur,
Madurai 625 007.

4.The Assistant Executive Engineer,

Constructions & Improvement,
Tamil Nadu Electricity Board,
K.Pudur, Madurai 625 007.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records from the third respondent, the impugned order Ka.No.595/NiPi/Assist3/04-07, dated 25.09.2006 and quash the same as illegal, improper, unlawful, unconstitutional and arbitrary.

For Petitioner

: Mr.P.Krishnasamy

For Respondents

: Mr.T.Sakthikumaran

Standing Counsel

ORDER

The order, dated 25.09.2006, is under challenge in the present writ petition.

2.The learned Standing Counsel for the respondents states that pursuant to the orders passed in W.P.(MD)No.7854 of 2006, dated 01.09.2006, directing the authorities to dispose of the appeal, the impugned order has been passed. He further states that the final order in the departmental disciplinary proceedings were passed long back and therefore, the appeal cannot be entertained and accordingly, rejected.

3.The fact remains that the petitioner was working as Commercial Assistant and on account of certain serious allegations, the departmental disciplinary proceedings were initiated. After



conducting an enquiry, the petitioner was dismissed from service. The order of dismissal, dated 11.02.2002 reveals that the allegations against the writ petitioner were serious and based on the proved charges, he was dismissed from service. The appeal was filed and pursuant to the directions of this Court in the year 2006, the appeal was rejected. The present writ petition is filed challenging only the appellate order, dated 25.09.2006. The order of dismissal, dated 11.02.2002, is not under challenge in the present writ petition. This apart, the petitioner was dismissed in the year 2002 and the appellate order was issued in proceedings, dated 25.09.2006, pursuant to the directions issued by this Court. The present writ petition is filed on 18.08.2014, after a lapse of about eight years from the date of appellate order and twelve years from the date of dismissal order. Even, then, the order of dismissal is not under challenge.

4.This being the factum, the writ petition is not entertainable and dismissed on the ground of laches. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To

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+1 CC to Mr.T.SAKTHI KUMARAN, Advocate (SR-22477[F] dated 23/11/2020)

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VB (04.12.2020) 2P 6C

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