

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.16293 of 2019

ORDER

This writ petition is filed seeking the following relief:

“to issue writ or direction preferably writ of mandamus, declaring the action of the Respondents 1 to 3 in not declaring the completion of probation of petitioner with effect from 21-1-2012 despite proposals dt.29-12-2017 submitted by the respondent No.4 as illegal, arbitrary and violative of principles of natural justice and violative of Article 14 of Constitution of India and consequently direct the respondents to forthwith declare the completion of probation of petitioner with effect from 21-1-2012 and grant all consequential benefits including promotion....”

Heard Si D. Sudharshan, learned counsel appearing for the petitioner, and the learned Standing Counsel appearing for the respondents- TSNPDCL

It is the case of the petitioner that initially, he was appointed as Assistant Engineer (Electrical) on 21-12-2009, and he is qualified and eligible for declaration of probation, but the respondents are not considering his case for declaration of probation on the ground that an ACB case viz., Cr.P.No. 4072 of 2015 is pending against him. Though the fourth respondent has recommended the case of the petitioner for declaration of probation to the third respondent, but, so far, the third respondent has not passed any orders thereon.

The learned counsel for the petitioner submitted that appropriate order be passed in the writ petition directing the respondent Nos.1 to 3 to consider the proposal submitted by the fourth respondent on 29-12-2017 and pass appropriate orders.

The learned Standing Counsel contended that the second respondent would consider the proposal submitted by the fourth respondent and pass appropriate orders in accordance with law.

Having considered the rival submissions made by the learned counsel on either side, this Writ Petition can be disposed of directing the respondent Nos.1 to 3 to consider the proposal submitted by the fourth respondent, with regard to the declaration of probation of the petitioner, and pass appropriate orders thereon in accordance with law within three months from the date of receipt of a copy of this order.

Accordingly, the Writ Petition is disposed of. No costs.

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVIL, J

13.10.2020
rkk

