

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 18.02.2021

CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.Nos.3629, 3631, 3633 & 3636 of 2021
(Heard through VC)

T.Mayilvahanan	.. Petitioner in W.P.No.3629/2021
G.Rajagopal	.. Petitioner in W.P.No.3631/2021
V.Kanian Poonkundran	.. Petitioner in W.P.No.3633/2021
M.Pushparaj	.. Petitioner in W.P.No.3636/2021

-vs-

1. The Secretary,
TANGEDCO & TANTRANSCO Limited (TNEB),
No.144, Anna Salai,
Chennai - 600 002.
2. The Chief Engineer (Personal),
TANGEDCO & TANTRANSCO Limited (TNEB),
No.144, Anna Salai,
Chennai - 600 002.
3. The Chairman cum Managing Director,
TANGEDCO & TANTRANSCO Limited (TNEB),
No.144, Anna Salai,
Chennai - 600 002. ... Respondents in all W.Ps.

Prayer: Petitions filed under Article 226 of Constitution of India to issue a Writ of Mandamus directing the respondents to promote the petitioners to the post of Executive Engineer (Civil) in terms of the panel approved in (Per.) CMD TANGEDCO Proceedings No.158 dated 27.08.2019, by considering the petitioners' representation dated 04.06.2020, 22.08.2020, 03.08.2020 & 21.08.2020, respectively.

For Petitioner : Mr.K.Govindarajan
in all W.Ps.
For Respondents : Mr.Karthik Rajan
in all W.Ps.

COMMON ORDER

The petitioners have come forward with the above writ petition seeking a direction to the respondents to promote the

them to the post of Executive Engineer (Civil) in terms of the panel approved in (Per.) CMD TANGEDCO Proceedings No.158 dated 27.08.2019 by considering their representation dated 04.06.2020, 22.08.2020, 03.08.2020 & 21.08.2020, respectively.

2. Mr.Karthik Rajan, learned counsel takes notice on behalf of the respondents.

3. By consent of both parties, these writ petitions are taken up for final disposal at the admission stage itself.

4. According to the petitioners they have joined in the services of Tamil Nadu Electricity Board in the year 1995 as Assistant Engineer (Civil). The petitioners were given first promotion in the year 2009 as Assistant Executive Engineer (Civil). The next level of promotion is Executive Engineer. While so, the first respondent published the approved panel of Class-I Service of the Assistant Executive Engineers (Civil) fit for promotion as Executive Engineer (Civil) by proceedings dated 27.08.2019. In the said proceedings 20 persons were identified for promotion to the post of Executive Engineer (Civil). Based on the said approved panel, promotion orders were given for the first 15 persons in the panel by the first respondent vide proceedings dated 27.01.2020. Even though there are sufficient vacancies in the post of Executive Engineer (Civil) and four Executive Engineers (Civil) gave VRS and thereby several posts are available vacant in the cadre of Executive Engineer (Civil), promotion orders were not issued to the petitioners, who were next in the panel. Hence, the petitioners made representations dated 04.06.2020, 22.08.2020, 03.08.2020 & 21.08.2020, respectively, to the first respondent requesting to grant promotion. But till today, their requests were not considered by the first respondent. Hence, the present writ petitions have been filed.

5. Considering the facts and circumstances of the case, as the petitioners' representation are already pending with the authority concerned, this Court directs the respondents herein to consider the petitioners' representation dated 04.06.2020, 22.08.2020, 03.08.2020 & 21.08.2020, respectively, if not already considered and pass appropriate orders thereon, in accordance with law, after affording an opportunity of hearing to the petitioners, as expeditiously as possible, preferably within a period of sixty (60) days from the date of receipt of a copy of this order.

6. The petitioners shall furnish their phone number, email ID, if any, etc., along with a copy of the representation dated 04.06.2020, 22.08.2020, 03.08.2020 & 21.08.2020, respectively and this order, to the respondents forthwith. The respondents

are directed to communicate the decision taken on the representation, to the petitioners within a period of three weeks from the date of decision taken thereon, by way of SMS/Email/registered post/speed post, so that there is no need for the parties to file contempt after expiry of the specified period. In case the authorities concerned fail to send communication to the parties, they will have to face the civil imprisonment in case of contempt proceedings and, if they are unable to serve the order and the cover being returned un-served for one reason or the other, the same shall be kept in the file without opening it for the proof of attempt of delivery, so that the parties, at a later point of time, will not take a plea that they are not aware of the order.

7. With the above directions, these writ petitions are disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

rsi

To

1.The Secretary,
TANGEDCO & TANTRANSCO Limited (TNEB),
No.144, Anna Salai,
Chennai - 600 002.

2.The Chief Engineer (Personal),
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3.The Chairman cum Managing Director,
TANGEDCO & TANTRANSCO Limited (TNEB),
No.144, Anna Salai,
Chennai - 600 002.

+4cc to Mr.K.Govindarajan, Advocate, sr no.9864 to 9867
+1cc to Mr.Karthik Rajan, Advocate, sr no.9822

W.P.Nos.3629, 3631, 3633 & 3636 of 2021

SSI (CO)
RMP (15/03/2021)