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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.7747 of 2015

A.Prabakaran

... Petitioner

-Vs-

1.The Chairman cum Managing Director,
Tamil Nadu Generation and Distribution
Corporation Limited,
144, Anna Salai, Chennai 600 002.

2.The Chief Engineer/Personnel,
Tamil Nadu Generation and Distribution
Corporation Limited,
144, Anna Salai, Chennai 600 002.

3.Tamil Nadu Transmission Corporation Ltd.,
(TANTRANSCO)
Rep by its Managing Director,
No.144, Anna Salai,
Chennai 600 002.

4.The Superindenting Engineer,
Tamil Nadu Generation and Distribution
Corporation Limited,
Namakkal Circle, Namakkal.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus to direct the Respondents particularly 4th respondent to re-fix the seniority of the petitioner by promoting the petitioner as Helper with effect from 10.09.2009 based upon the BP No.45 dated 06.09.2007 and B.P.No.09 dated 23.05.2012 consequently promote the petitioner to the post of wireman with effect from 03.05.2014 with all other attendant cumulative benefits.

For Petitioner : Mr.R.Arumugam

For Respondents : Mr.P.Subramaniam,

Standing Counsel for TANGEDCO



O R D E R

The issue as to whether the seniority of the petitioner herein can be re-fixed is based on various factual aspects and this Court may not be justified in stepping into shoes of the authority and re-fixing the seniority of the petitioner, who was employed as Helper on the date of this claim.

2.It is also seen that the petitioner herein had given representation in this regard seeking for re-fixing of seniority and owing to the non-consideration of his representation, the present Writ Petition has been filed.

3.Since the representation was given way back in the year 2014, this Court is of the view that the petitioner herein can be granted an opportunity to give a fresh representation with a consequential direction to the authority to consider the same within a stipulated time, which would secure the ends of justice.

4.In the light of the above observations, the petitioner is granted liberty to make a fresh representation to the second respondent herein, ventilating his grievances, as expeditiously as possible and on receipt of such a representation from the petitioner, the second respondent herein shall consider it, on its own merits and pass appropriate orders in accordance with law, atleast within a period of four (04) weeks from the date of receipt of the fresh representation made by the petitioner.

5. With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS-VI)

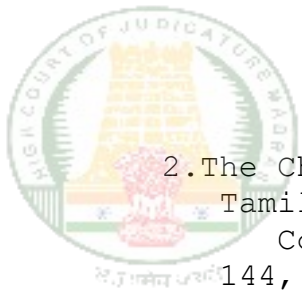
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Sub Assistant Registrar

vkr

To:

- 1.The Chairman cum Managing Director,
Tamil Nadu Generation and Distribution
Corporation Limited,
144, Anna Salai, Chennai 600 002.



2.The Chief Engineer/Personnel,
Tamil Nadu Generation and Distribution
Corporation Limited,
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3. The Managing Director,
Tamil Nadu Transmission Corporation Ltd.,
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No.144, Anna Salai,
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4.The Superindenting Engineer,
Tamil Nadu Generation and Distribution
Corporation Limited,
Namakkal Circle, Namakkal.

+1cc to Mr.R.Arumugam, Advocate SR.No.64282

W.P.No.7747 of 2015

JPL(CO)
GN(20/12/2021)