

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.05.2021

CORAM

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

W.P.No.12038 of 2021 and
W.M.P.No.12807 of 2021

K.Natesan

... Petitioner

Vs.

- 1.The Chairman cum Managing Director,
Tamil Nadu Generation
and Distribution Corporation Limited (TANGEDCO)
No.144, Anna Salai,
Chennai - 600 002.
- 2.The Superintending Engineer,
Office of the Superintending Engineer,
General Construction Circle,
Tamil Nadu Transmission Corporation Limited (TANTRANSCO).
Udayapatty, Kamaraj Nagar Colony,
Salem-636 014.
- 3.The Superintending Engineer,
Office of the Superintending Engineer,
Generation Circle,
Tamil Nadu Generation
and Distribution Corporation Limited (TANGEDCO),
Tirunelveli.
- 4.The Executive Engineer (Civil),
Tower Line Construction,
Tamil Nadu Transmission Corporation Limited (TANTRANSCO).
Udayapatty, Kamaraj Nagar Colony,
Salem-636 014.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the order of the 1st respondent in his proceedings in, (PER) CMD TANGEDCO PROCEEDINGS No.90, dt.03.05.2021 and the consequential order of the 3rd respondent in his, Memo.No.272/SE/ Gen/Tin/Adm-I/A.1/F.DP/2021-1 dt.06.05.2021 and to quash the same and thereby direct the respondents herein to reinstate the petitioner with continuity of service and all other attendant benefits.

For Petitioner : Mr.GK.Muthukumar

For Respondents : Mr.Karthik Rajan
Standing Counsel

ORDER

This writ petition is filed challenging the order of the 1st respondent and the consequential order passed by the 3rd respondent dated 06.05.2021.

2.The impugned order under challenge in this writ petition is passed by the Chairman cum Managing Director of the TANGEDCO in respect of the enquiry proceedings initiated against the petitioner herein. The impugned order clearly indicates that the petitioner herein has appellate remedy under the statute and against the award of punishment, he is entitled to prefer an appeal within one month to the Board. However, instead of exhausting the remedy available under the statute, the petitioner herein has approached the Court alleging that there is a violation of natural justice and non application of mind.

3.Since the statute provides for appeal remedy to the petitioner herein, this Court is not inclined to invoke its extraordinary jurisdiction to entertain this writ petition. Hence, this writ petition is dismissed. Consequently, W.M.P. No.12807 of 2021 stands closed.

4.However, while dismissing this writ petition, this Court also finds that 30 days time to prefer an appeal is likely to be lapsed on 02.06.2021. Since there is a very little time available for the petitioner herein to prefer an Appeal, the time for preferring the appeal is extended till 21.06.2021. If appeal filed within the given time, the Appellate authority shall dispose the said appeal within 60 days from the date of appeal. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

rpl

To

1.The Chairman cum Managing Director,
Tamil Nadu Generation
and Distribution Corporation Limited (TANGEDCO)
No.144, Anna Salai, Chennai - 600 002.

2.The Superintending Engineer,
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General Construction Circle,
Tamil Nadu Transmission Corporation Limited (TANTRANSCO).
Udayapatty, Kamaraj Nagar Colony,
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3.The Superintending Engineer,
Office of the Superintending Engineer,
Generation Circle,
Tamil Nadu Generation
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W.P.No.12038 of 2021
and
W.M.P.No.12807 of 2021

PP(CO)
CB(03/06/2021)



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