

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Monday, the Thirteenth day of December Two Thousand Twenty One

PRESENT

THE HON`BLE MR.JUSTICE D.KRISHNAKUMAR

WMP.No.27802 of 2021

IN WP.No.26329 of 2021

P.SELVAN

[PETITIONER]

Vs

1 THE CHAIRMAN CUM MANAGING
DIRECTOR, TAMIL NADU GENERATION AND
DISTRIBUTION CORPORATION LTD,
NO.144, ANNA SALAI, CHENNAI- 600 002.

[RESPONDENTS]

2 THE CHIEF ENGINEER / PERSONNEL,
TAMIL NADU GENERATION AND DISTRIBUTION
CORPORATION LTD,
NO.144, ANNA SALAI, CHENNAI-600 002.

3 THE CHIEF ENGINEER / DISTRIBUTION,
TAMIL NADU GENERATION AND
DISTRIBUTION CORPORATION LTD,
ERODE ELECTRICITY DISTRIBUTION REGION,
ERODE.

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to stay the operation of the impugned order passed by the 2nd respondent in Memo.No.052615/G.13/G.131/2021 dated 07.08.2021 (WMP.No.27802 of 2021) Pending disposal of the WP.No.26329 of 2021.

Order : This petition coming on this day for hearing upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.CHANDRASEKAR.P, Advocate for the petitioner and of MR.P.SUBRAMANIAN(TNEB), Advocate for the Respondents, the court made the following order:-

The learned counsel for the petitioner has submitted that the writ petitioner has joined in the present office on 27.10.2020 and relieved on administrative grounds on 09.08.2021. The petitioner served only 10 months in the above office. From the date of his joining in the said office, he was compelled by his superiors to get illegal gratifications from the consumers for new service connection by colluding with a middleman. The learned counsel for the petitioner has further submitted that even to implement the

order of the Government to provide one lakh free service connections to the agricultural farmers, the petitioner was compelled to get illegal gratification from the consumers and he refused to do same. The petitioner has appraised the above attitude of his superiors to the Superintendent Engineer, Mettur and the Superintendent Engineer, Mettur promised the petitioner to enquire the above matter. While that being so, the petitioner was transferred to North Chennai Thermal Power Plant, which is approximately 400 kms from his place. The petitioner has made representation to his superior officer to reconsider his transfer. Since no action has been taken, the present writ petition is being filed.

3. Mr.P.Subramanian, learned standing counsel takes notice for the respondents and submitted that subsequent to the transfer order, the petitioner had relived and had not reported in the transferred place. The learned counsel further submitted that the petitioner has also made a representation before the 1st respondent against his higher officials alleging for having received the illegal gratification from the consumers.

4. Even though the learned standing counsel appearing for the respondents strongly denied the allegations made by the petitioner, this Court find some force on the statement made by the petitioner in the affidavit that he was compelled to receive illegal gratification by his superior officers with the help of middle man to provide new service connection to the consumers, which is very serious in nature. Hence it would be appropriate for this Court to issue interim directions to the respondents to enquire into the allegations made by the petitioner and submit a report before this Court. Accordingly, the following interim directions are issued;

- i. The 1st respondent is directed to conduct a detailed enquiry into the allegations made by the petitioner and submit a report before this Court.
- ii. Petitioner shall make appropriate complaint before the Deputy Superintendent of Police, Vigilance & Anti Corruption, Salem against the officials involved in receiving illegal gratification from the consumers. Upon receipt of such complaint, the Deputy Superintendent of Police, Vigilance & Anti Corruption, Salem is directed to investigate the complaint preferred by the petitioner and file a report before this Court on or before the next hearing.
- iii. The 2nd respondent is directed to consider the petitioner's request for reconsideration of his transfer and place the petitioner as Assistant Engineer (Electrical) in Mettur Electricity Distribution Circle, if no other officers are taken charge in the said place or as and when vacancies arises in the said place.

5. Registry is directed to post this writ petition after four (4) weeks for filing reports by the 1st respondent as well as the Deputy Superintendent of Police, Vigilance & Anti Corruption, Salem.

-sd/-
13/12/2021

/ TRUE COPY /

Sub Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE CHAIRMAN CUM MANAGING
DIRECTOR, TAMIL NADU GENERATION AND
DISTRIBUTION CORPORATION LTD,
NO.144, ANNA SALAI, CHENNAI- 600 002.

2 THE CHIEF ENGINEER / PERSONNEL,
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TAMIL NADU GENERATION AND
DISTRIBUTION CORPORATION LTD,
ERODE ELECTRICITY DISTRIBUTION REGION,
ERODE.

COPY TO

THE DEPUTY SUPERINTENDENT OF POLICE,
VIGILANCE & ANTI CORRUPTION,
SALEM.

C.C to M/S.CHANDRASEKAR.P Advocate SR.No.7407

C.C to MR.P.SUBRAMANIAN Advocate SR.No.7361

Order
in
WMP.No.27802 of 2021
IN WP.No.26329 of 2021

Date :13/12/2021

From 26.2.2001 the Registry is issuing certified
copies of the Interim Orders in this format
GS(21/01/2022) (IT)