



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P(MD)No.7656 of 2012

and

M.P. (MD)No. 1 of 2012

WEB COPY

R.A.N.Subbiah

... Petitioner

Vs.

1.The Chairman and Managing Director,
TNEB Ltd., TANGEDCO,
Electricity Avenue,
144, Anna Salai, Chennai-2.

2.The Chief Engineer-Personnel,
Tamil Nadu Generation and Distribution
Corporation Ltd.,
Electricity Avenue,
144, Anna Salai, Chennai-2.

3.The Superintending Engineer,
Tamil Nadu Generation and Distribution
Corporation Ltd.,
Purchase and Administration,
Tuticorin Thermal Power Station,
Tuticorin-628 004.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus to call for the records relating to the impugned order passed by the second respondent, vide letter No.009525/43/G55/2011-1, dated 26.03.2011, quash the same and consequently directing the respondents 2 and 3 to fix the seniority of the petitioner vide (Per) B.P.(FB)No.17, dated 28.04.1999 (Sl.No.5a) as well as TNEB Service Regulation 2000 Category 5.

For Petitioner : Mr.D.Saravanan

For Respondents : Mr.T.Sakthikumaran
Standing Counsel

ORDER

This Writ Petition is filed seeking for issuance of a Writ of Certiorarified Mandamus to call for the records relating to the impugned order passed by the second respondent, vide letter



No.009525/43/G55/2011-1, dated 26.03.2011, quash the same and consequently directing the respondents 2 and 3 to fix the seniority of the petitioner vide (Per) B.P.(FB)No.17, dated 28.04.1999 (Sl.No.5a) as well as TNEB Service Regulation 2000 Category 5.

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2. Learned Counsel appearing for the petitioner would submit that the present writ petition is filed challenging the communication dated 26.03.2011, wherein the petitioner's name was not included in the seniority list for the post of Junior Engineer Grade-II. Further, the learned Counsel would submit that after a lapse of so many years, challenging the seniority list may not solve the problem of the petitioner and hence, he would seek permission of this Court to make a representation to the respondents for consideration of the petitioner to the next level of promotion.

3. Learned Standing Counsel appearing for the respondents has no serious objection for granting such relief, even though they filed a counter affidavit.

4. Considering the limited prayer as now sought for by the learned Counsel appearing for the petitioner, without going into the merits of the petitioner's case, though this Court is not inclined to interfere with the impugned order, this Court is inclined to pass the following order:

" The petitioner is permitted to make a representation to the respondents within a period of two weeks from the date of receipt of a copy of this order. If any such representation is made, the respondents are directed to consider the same and pass appropriate orders on merits and in accordance with law as expeditiously as possible."

5. With the above directions, the Writ Petition stands disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

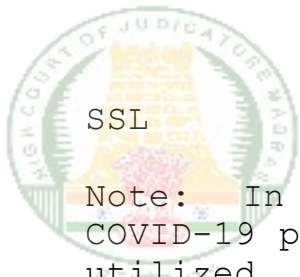
Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)



SSL

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Chairman and Managing Director,
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144, Anna Salai,
Chennai-2.

2.The Chief Engineer-Personnel,
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Corporation Ltd.,
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Tuticorin-628 004.

+1 CC to Mr.T.SAKTHI KUMARAN, Advocate (SR-5212[F] dated 15/02/2021)

+1 CC to Mr.D.SARAVANAN, Advocate (SR-5422[F] dated 16/02/2021)

W.P (MD) No.7656 of 2012
15.02.2021

KM (01.03.2021) 3P 6C