



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.01.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P. (MD) No.1195 of 2021

and W.M.P. (MD).Nos.1028 & 1029 of 2021

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M.Mariadass

...Petitioner

Vs.

1.The Chief Engineer,
Tamil Nadu Generation and Distribution Corporation Limited,
O/o. The Chief Engineer,
Tirunelveli, Tirunelveli District.

2.The Superintending Engineer,
Tamil Nadu Generation and Distribution Corporation Limited,
Tuticorin Electricity Distribution Circle,
Tuticorin District.

3..C.Vijaya Sankarapandian

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Ku.Aa.No.3730/589/UniA/NiPi/U.1/Ko./2020 dated 04.06.2020 on the file of the respondent No.2 and quash the same as illegal and consequently, directing the respondents No.1 and 2 to pay all the increment and other service and monetary benefits within the time stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy

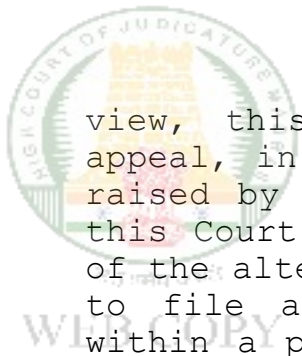
For Respondents : Mr.T.Sakthikumaran for R1 &R2
Standing Counsel

O R D E R

Heard the learned counsel appearing for the petitioner and the learned Standing Counsel appearing for the respondents 1 and 2.

2.The grounds raised by the petitioner in the present writ petition, challenging the impugned order of punishment may not be sufficient to overcome the alternate remedy available to the petitioner to challenge the impugned order of punishment. As per the impugned order, dated 04.06.2020, the petitioner is required to file an appeal before the Superintending Engineer, Tuticorin Electricity Distribution Circle, Tuticorin, within a period of 30 days.

3.The learned Standing Counsel appearing for the respondents 1 and 2 submitted that the impugned order of punishment was served on the petitioner on 04.06.2020 itself. However, taking a lenient



view, this Court intends to extend the time for preferring an appeal, in order to secure the ends of Justice. Since the grounds raised by the petitioner are sufficient to exercise the powers of this Court under Article 226 of the Constitution of India, in view of the alternate remedy available, the petitioner is granted liberty to file an appeal against the impugned order dated 04.06.2020, within a period of 15 days from the date of receipt of a copy of this order.

4. With the above liberty, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CSIII)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

TM

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.

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-2235[F] dated 27/01/2021)

W.P. (MD) No.1195 of 2021
25.01.2021

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