



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.06.2021

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P(MD)No.10577 of 2021

WEB COPY

S.Sundararajan Gnanasekar

... Petitioner

vs.

1.The Chief Engineer (Personnel),
Tamil Nadu Generation and
Distribution Corporation Limited,
(TANGEDCO),
144, Anna Salai, NPKRR Maligai,
Chennai -600 002.

2.The Superintending Engineer,
Tirunelveli Electricity Distribution Circle,
Tamil Nadu Generation and
Distribution Corporation Limited,
(TANGEDCO),
Tirunelveli - 11,
Tirunelveli District.

3.The Assistant Executive Engineer (Rural),
Tamil Nadu Generation and
Distribution Corporation Limited,
(TANGEDCO),
Tirunelveli - 11.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to assign duty to the petitioner not more than 8 hours per day enabling him to live safely and peacefully and to attend his duty more diligently and effectively by considering his representation, dated 17.03.2021.

For Petitioner	: Mr.V.Kannan
For Respondents	: Mr.Devakumar
	for Mr.T.Sakthi Kumaran

ORDER

The petitioner has filed the present Writ Petition, to direct the respondents to assign duty to the petitioner not more than 8 hours per day, enabling him to live safely and peacefully and to attend his duty more diligently and effectively, by considering his representation, dated 17.03.2021.



2.Mr.Devakumar, learned counsel, representing for Mr.T.Sakthikumaran, accepts notice for the respondents.

3.By consent, the Writ Petition is taken up for final disposal at the stage of admission itself.

4.According to the petitioner, he is working as a Junior Engineer Grade-II in 110/11-33 KV Station at Manur, Tirunelveli District. In the said substation, four Junior Engineer posts were sanctioned posts and three Junior Engineers will be on duty each for 8 hours per day and one Junior Engineer will be on duty on leave and weekly off of others. Originally, four Junior Engineers including the petitioner were working in the said substation. While so, two Junior Engineers were promoted and posted somewhere else. Since two Junior Engineer posts are vacant, the petitioner and another Engineer are on duty for 12 hours per day. The petitioner is attending duty continuously for 12 hours per day and if another Engineer is on leave, he has to be on duty continuously for 24 hours. By such continuous work for 24 hours and more, the petitioner is suffering from stress and body pain.

5.While so, two Technical Assistants, namely Vijayalakshmi and Kalyani, were promoted to the posts of Junior Engineer (Electrical) Grade-II and were posted to the substation at Manur. They joined duty on 01.03.2021, but on the next day, they went to their original post before promotion by diversion order. The said Vijayalakshmi and Kalyani are working now in the Computer Section of the Central Office at Maharajanagar, Tirunelveli, with the diversion order to that effect. The Junior Engineer on duty has to be more vigilant and efficient besides ensuring uninterrupted service and power supply due to the following peculiar conditions of the substation at Manur:

- 1.Uninterrupted power supply to 400KV Kanarpatti substation.
- 2.Uninterrupted power supply to Manur combined water scheme of the TWAD Board.
- 3.Receiving and transmitting wind energy (60MW).
- 4.Substation is having
 - a.11 KV Feeder - 5 in numbers.
 - b.11 KV wind farms - 2 in numbers.
 - c.33 KV wind feeder - 4 in numbers.
 - d.Power transforms - 3 in numbers.

Under such circumstances, the petitioner has given a representation, dated 17.03.2021, to the respondents, to assign duty to him not more than 8 hours per day. The same have not been considered so far. Hence, the petitioner has come out with the



present Writ Petition.

6. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents.

7. Considering the above materials, without deciding the issue on merits, it is suffice to direct the respondents to consider the representation of the petitioner, dated 17.03.2021, and pass orders on merits and in accordance with law, within a period of two weeks from the date of receipt of a copy of this order.

8. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

ps

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

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+1 CC to M/s.T.SAKTHI KUMARAN, Advocate (SR-20267[F] dated 25/06/2021)

W.P(MD)No.10577 of 2021

25.06.2021

CN(05.07.2021) 4P 5C