



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.11.2021

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

WEB COPY

W.P. (MD) No. 5066 of 2018

R. Viswanathan

.. Petitioner

Vs.

1. Tamil Nadu Generation and Distribution Corporation Limited
(TANGEDCO), formerly TNEB),
Represented by its Chairman/Director,
144, Anna Salai,
Chennai - 600 002.

2. The Chief Engineer/Personnel,
Tamil Nadu Generation,
Distribution Corporation Limited, (TANGEDCO),
144, Anna Salai,
Chennai - 600 002.

3. The Chief Engineer/Distribution,
Tamil Nadu Generation &
Distribution Corporation Limited, (TANGEDCO),
K. Pudur,
Madurai -7.

4. The Superintending Engineer,
Sivaganga Electricity Distribution Circle,
Tamil Nadu Generation &
Distribution Corporation Limited, (TANGECO),
Sivagangai District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for the issuance of a Writ of Mandamus directing the third and fourth respondents to sanction annual increment to the petitioner which fell due on 01.07.2013 by considering the service rendered by the petitioner from 01.07.2012 to 30.06.2013 in accordance with the Rule 26(a) Appendix (ix) of the Fundamental Rules and re-fix the pension of the petitioner with all consequential benefits within the time period stipulated by this court and pass orders.

For Petitioner
For Respondents

: Mr. T. Lajapathi Roy
: Mr. T. Sakthi Kumaran
Standing Counsel



ORDER

The prayer in the writ petition is for a mandamus directing the respondents, that is officials of the Tamil Nadu Generation and Distribution Corporation Limited (TANGEDCO), to sanction annual increment which falls due on 01.07.2013 by considering the service rendered by the petitioner between the period 01.07.201 and to 30.06.2013 in accordance with Rule 26(a) Appendix (ix) of the Fundamental Rules and re-fix his pension with all consequential benefits.

2. No counter has been filed in the matter.

3. In addition to reliance on Government order in G.O.Ms.No. 311, Finance (CMPC) Department dated 31.12.2014, the petitioner relies on a slew of decisions passed by this court which he says support him, being the orders passed in:

- (i) W.P.(MD).No.9995 of 2016 dated 17.07.2017
- (ii) W.P.(MD).No.12636 of 2016 dated 17.07.2017
- (iii) W.P.(MD).No.5190 of 2016 dated 17.07.2017
- (iv) *S. Dravidami vs Secretary*, W.P.No. 23114 of 2017 dated 29.08.2017
- (v) *V. Baskaran vs Secretary*, W.P.No. 23118 of 2017

4. I desist from referring to the issue on merits seeing as the petitioner has made a simultaneous claim for the same relief vide his representation dated 23.01.2018 filed before the Superintending Engineer/R4. It would thus suffice that a direction be issued to R4 to consider the representation as aforesaid, hear the petitioner and pass orders on merits and in accordance with law, within a period of six weeks from date of uploading of a copy of this order on the official website of this court. Such direction as aforesaid is issued and with this, this writ petition stands disposed. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

mnr

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.LAJAPATHI ROY, Advocate (SR-34132[F] dated
11/11/2021)

+1 CC to M/s.T. SAKTHIKUMARAN, Advocate (SR-34155[F] dated
11/11/2021)

W.P. (MD) No. 5066 of 2018
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TSK(CO)
KB(23.11.2021) 3P 7C