



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:24.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P. (MD)Nos.6251 to 6255 of 2016

WEB COPY

Mr.Annadurai	... Petitioner in W.P.(MD).No.6251 of 2016
Mr.Meganathan	... Petitioner in W.P.(MD).No.6252 of 2016
Mr.Patchayappan	... Petitioner in W.P.(MD).No.6253 of 2016
Mr.Kaliyamoorthy	... Petitioner in W.P.(MD).No.6254 of 2016
Mr.Rengaraju	... Petitioner in W.P.(MD).No.6255 of 2016

Vs.

1.Tamil Nadu Generation and Distribution Corporation
Limited,
represented by its Chief Engineer (personnel),
No.144, Anna Salai,
Chennai 600 002.

2.The Superintending Engineer (P & A),
Thoothukudi Thermal Power Station,
Thoothukudi -4. ... Respondents in all W.Ps.

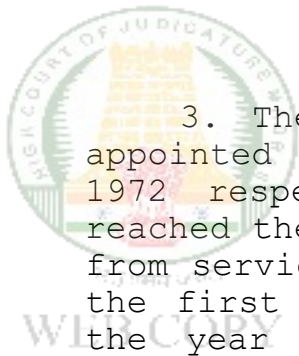
Common Prayer:Writ Petitions are filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the first respondent to consider the petitioners' representation dated 02.02.2016, 02.02.2016, 01.02.2016, 03.02.2016 & 01.02.2016 in connection with their promotion from Foreman - II to Junior Engineer / Mech.II Grade (Non-Diploma), as per the revised selection list for the year 2002 published by the first respondent in his Letter No.075008/794g55/9552 2012, dated 12.06.2013 and to extend all monetary and service benefits retrospectively.

For Petitioners	: Mr.T.Senthil Kumar
For Respondents	: Mr.T.Sakthi Kumaran
	Standing counsel

C O M M O N O R D E R

Since the issue involved in all these writ petitions is one and the same, these writ petitions are taken up together and disposed of by this Common order.

2. These writ petitions have been filed for a direction to the first respondent to consider the petitioners' representation, dated 02.02.2016, for promotion to the post of Junior Engineer / Mechanical Grade II (Non-Diploma), as per the revised selection list, for the year 2002, published by the first respondent in his Letter No.075008/g55/2012, dated 12.06.2013 and to extend all monetary and service benefits retrospectively.



3. The case of the petitioners is that originally they were appointed as Helper in Ennor Power Station, in the year 1971 and 1972 respectively. After periodical promotions, the petitioners reached the level of Foreman Grade - II on various dates and retired from service as Foreman Grade - II on various dates. On 12.06.2013, the first respondent has published the revised selection list for the year 2002. In the said selection list, the names of the petitioners were found. Due to the belated approach of the first respondent, the petitioners could not be promoted as Junior Engineer (Mechanical) Grade II. Hence, the petitioners have made a representation to the first respondent, on 02.02.2016, seeking notional promotion and for implementing the order dated 12.06.2013. But till date no order was passed. Hence, the petitioners have approached this Court with the aforesaid prayers.

4. The learned Standing counsel appearing for the respondents would submit that the petitioners' proposals have been received in the year 2002 and their names were placed in the revised selection list. However, they were retired from service. Hence, their request for promotion to the post of Junior Engineer (Mechanical) Grade - II was not considered.

5. The facts in the present cases are not in dispute. The petitioners claimed that they are entitled for promotion to the post of Junior Engineer (Mechanical) Grade - II, in the year 2002. However, a perusal of the counter affidavit reveals that the petitioners' proposals were received during 2002 and their names were placed in the revised selection list and as they were retired from service, their request for promotion to the post of Junior Engineer (Mechanical) Grade - II could not be extended with all monetary and service benefits retrospectively. But, there is no averments with regard to the disposal of the petitioners' representation, dated 02.02.2016.

6. In view of the above, this Court directs the first respondent to consider the petitioners' representation, dated 02.02.2016 and pass appropriate orders, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above direction, these Writ Petitions are disposed of. No costs.

Sd/-

Assistant Registrar (CSIII)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



To

1.Tamil Nadu Generation and Distribution Corporation
Limited,
represented by its Chief Engineer (personnel),
No.144, Anna Salai,
Chennai 600 002.

2.The Superintending Engineer (P & A),
Thoothukudi Thermal Power Station,
Thoothukudi -4.

+1 CC to M/s.T.SAKTHI KUMARAN, Advocate (SR-13639[F] dated
25/03/2021)

W.P. (MD) Nos.6251 to 6255 of 2016
24.03.2021

NA (CO)
KB (29.04.2021) 3P 4C