



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.11489 of 2012
and
M.P.Nos.1 & 2 of 2012

1.R.Devaraj
2.R.Jayachandran
3.B.Kanniappan
4.S.Muruganandham
5.V.Harikrishnan
6.C.A.Lakshmanan
7.S.Pandian
8.G.Chandrasekaran

...Petitioners

-Vs-

1.The Chairman,
TANGEDCO,
No.144, Anna Salai,
Chennai - 2.

2.The Chief Engineer (Personnel),
TANGEDCO,
No.144, Anna Salai,
Chennai - 2.

3.The Superintending Engineer,
TANGEDCO,
Chengleput Electricity Distribution Circle,
Chengleput.

..Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to the proceedings of the second respondent dated 04.02.2012 in his memo No.108345/11/G46/G462/2010 and quash the same with consequential direction to the third respondent to grant promotion to the petitioners herein as the Foreman Special Grade by re-fixing the seniority of the petitioners above Serial No.17 in the memo No.02590/Adm-111/A1/FFM-1Gr/2011 dated 03.08.2011 of the third



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respondent and grant monetary and all other attendant benefits applicable to the petitioners herein.

For Petitioners : Mr.K.Selvaraj

For Respondents : Mr.Anand Gopalan

for M/s.T.S.Gopalan & Co.

ORDER

With the consent of both the parties, this writ petition is taken up for final disposal.

2. All the petitioners herein are aggrieved against the fixation of seniority for the post of Foreman Grade-I, based on the recommendation made by the third respondent/Superintending Engineer in his proceedings No.0263/Ni.P-3/UI/2010-2 dated ...06.2011. The second respondent had, however, rejected the petitioners' requests, inspite of the recommendation made by the Superintending Engineer, through the impugned order dated 04.02.2012, by merely stating that there are no regulations for consideration of the petitioners' requests. Apparently, this is an one line impugned order. When the Superintending Engineer had made some recommendations, there was a duty cast on the Chief Engineer (Personnel) to state as to on what basis the petitioners' requests cannot be considered. Since the order itself is a non-speaking order, the same cannot be sustained.

3. At this juncture, the learned counsel for the petitioner produced a copy of the proceedings of the third respondent/Superintending Engineer in No.SE/CEDC/Chengelpet/ADM-3/A-1 dated ...03.2021, recommending for fixation of seniority for these petitioners. The learned counsel submitted that he would be satisfied if the second respondent herein is directed to reconsider their request, in the light of the proceedings of the Superintending Engineer.

4. In this background, the petitioners are granted liberty to make fresh representations to the Chief Engineer (Personnel) ventilating their grievances and on receipt of the same, the Chief Engineer (Personnel) shall consider their request, in the light of the proceedings of the Superintending Engineer passed in March, 2021, on its own merits and pass appropriate orders in accordance with law, within a period of eight (8) weeks from the date of receipt of the representations.



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5. Accordingly, the Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

hvk
To

1.The Chairman,
TANGEDCO,
No.144, Anna Salai,
Chennai - 2.

2.The Chief Engineer (Personnel),
TANGEDCO,
No.144, Anna Salai,
Chennai - 2.

3.The Superintending Engineer,
TANGEDCO,
Chengleput Electricity Distribution Circle,
Chengleput.

+1 CC to Mr.K.Selvaraj, Advocate sr 14088
+1 CC to M/s.T.S. Gopalan & Co, sr 14273.

W.P.No.11489 of 2012
and
M.P.Nos.1 & 2 of 2012

RSI (CO)
SP(18/03/2022)