



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2022

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.7787 of 2022

V.Joseph Tamilmarran

...Petitioner

vs.

1. The Superintending Engineer,
Vellore Electricity Distribution Circle,
Tamil Nadu Generation and Distribution Corporation Ltd.,
Gandhi Nagar, Vellore.
2. The Executive Engineer,
Operation & Maintenance,
Tamil Nadu Generation and Distribution Corporation Ltd.,
Ranipet,Vellore District.
3. The Assistant Accounts Officer/ Revenue Branch,
Tamil Nadu Generation and Distribution Corporation Ltd.,
Ranipet, Vellore District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to refer the petitioner for medical examination to the competent Medical Board based on the petitioner's representation dated 21.02.2022 within a time frame fixed by this Court.

For Petitioner : Mr.K.Sasindran

For Respondents: Mr.P.Subramanian
Standing Counsel for TNEB

O R D E R

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

2. This writ petition has been seeking to issue Writ of Mandamus, directing the respondents to refer the petitioner for



medical examination to the competent Medical Board based on the petitioner's representation dated 21.02.2022 within a time frame fixed by this Court.

3. The case of the petitioner in brief:

The petitioner herein is working as Record Clerk under the 3rd respondent corporation and he met with an accident during August 2016 and sustained severe injury in spinal cord. The petitioner has been taking medical treatment for the past six years and hence, he had applied for medical leave on various occasions and the same was sanctioned by the second respondent. Since all the available leaves are exhausted, now, the petitioner is on Medical Leave on loss of pay. Further, on the advice and suggestion of the doctor, the petitioner is decided to quit the job. Therefore, the petitioner made a representation on 21.02.2022 to the 1st respondent to send him to the Medical Board for medical examination and to relieve him from service on the ground of invalidation. According to the petitioner, after receipt of representation, the respondent Board ought to have sent the petitioner for medical examination immediately, as contemplated under Regulation 81 of the Tamil Nadu Electricity Board Regulations. But, his representation has not been considered till date. Hence, the writ petition.

4. The learned Standing Counsel appearing for the respondents submitted that, the representation of the petitioner will be considered by the authorities concerned and appropriate orders will be passed, in accordance with law.

5. In view of the above submissions, and considering the limited scope of prayer, without expressing any opinion on merits, this court is inclined to pass the following order.

i) The first respondent is directed to consider the representation of the petitioner dated 21.02.2022, and pass orders on its own merits, in accordance with law, as expeditiously as possible, within a period of six weeks from the date of receipt of a copy of this order.

6. With the above direction, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS IV)

True Copy//

Sub Assistant Registrar



mst

To

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1. The Superintending Engineer,
Vellore Electricity Distribution Circle,
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Ranipet, Vellore District.
3. The Assistant Accounts Officer/ Revenue Branch,
Tamil Nadu Generation and Distribution Corporation Ltd.,
Ranipet, Vellore District.

+1cc to Mr.K.Sasindran, Advocate, S.R.No.22643

+1cc to Mr.P.Subramanian, Advocate, S.R.No.22516

W.P.No.7787 of 2022

KJ[co]
NSK 06/05/2022