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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.06.2022

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.11270 of 2022

R.Sridevi

...Petitioner

Vs.

1. The Chairman-cum-Managing Director,
Tamil Nadu Generation and Distribution Corporation Ltd.,
No.144, Anna Salai,
Chennai - 600 002.
2. The Chief Engineer/Personnel,
Tamil Nadu Generation and Distribution Corporation Ltd.,
No.144, Anna Salai,
Chennai - 600 002.
3. The Chief Medical Officer,
Head Quarters Dispensary,
No.800, Anna Salai,
Chennai - 600 002.

...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 rearrange the petitioner in the post of Lab Technician Grade-II by considering the representations dated 27.12.2019, 13.03.2020 and 13.09.2021 within a time fixed by this Court.

For Petitioner : Mr.K.Sasindran

For RR1 & 2 : Mr.P.Subramanian
Standing Counsel

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 filed seeking issuance of writ



of mandamus, to direct the respondents to re-engage the petitioner in the post of Lab Technician Grade-II by considering the representations dated 27.12.2019, 13.03.2020 and 13.09.2021 within a time fixed by this Court.

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3.The case of the petitioner in brief:

The petitioner herein was engaged as a Lab Technician Grade-II by the respondent-Board. The employment period of the petitioner was renewed every year by re-engaging the petitioner in the same post. Accordingly, the petitioner has worked in the same post with the same scale of pay till 2019. Usually, the respondents would issue re-engagement order before the expiry of the tenure but the respondents have not issued such order even after expiry of the petitioner's tenure. Therefore, the petitioner has made several representations to the respondents viz., 27.12.2019, 13.03.2020 and 13.09.2021 to re-engage the petitioner in the same post by re-engagement. But, insofar no orders have been passed, hence, she filed this writ petition before this Court.

4.Mr.P.Subramanian, learned Standing Counsel appearing for the respondent-board would submit that, the petitioner was engaged only on temporary basis and the tenure of the petitioner had expired, hence she was ousted from service. If any re-engagement to the post of Lab Technician, it will be only considered by the authorities concerned by taking note of the various factors. However, if the said representation of the petitioner is pending, the same will be considered by the authorities concerned.

5.In the light of the above submissions, this Court is inclined to direct the 2nd respondent to consider the petitioner's representation dated 13.09.2021 on its own merits, in accordance with law, as early as possible, within a period of twelve 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-VIII)

//True Copy//

Sub Assistant Registrar

ata



To

1. The Chairman-cum-Managing Director,
Tamil Nadu Generation and Distribution Corporation Ltd.,
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Head Quarters Dispensary,
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Chennai - 600 002.

+1cc to M/s.K.Sasindran, Advocate, S.R.No.32207

+1cc to Mr.P.Subramanian, Advocate, S.R.No.32141

W.P.No.11270 of 2022

PL(CO)
RGA(15/06/2022)