



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.01.2022

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P (MD)No.6691 of 2021
& WMP (MD)Nos.5159 to 5161 of 2021

V.Venkatesh

... Petitioner

Vs.

- 1.The Chief Engineer(Personnel),
TANGEDCO,
No.144, Anna Salai,
Chennai-2.
- 2.The Superintending Engineer,
TANGEDCO,
Tuticorin Electricity Distribution Circle,
Tuticorin.
- 3.The Executive Engineer(Distribution),
TANGEDCO,
Kovilpatti-628 502,
Tuticorin District.

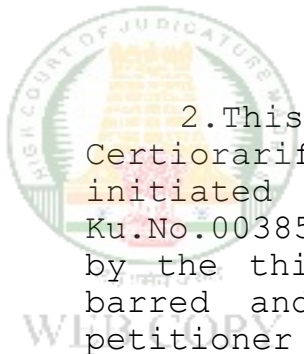
... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for the departmental proceedings initiated against the petitioner by way of charge memo in its Ku.No.00385/012/Ni.Pi/Ni.U-3/Ko.O.Na/2017-1 dated 18.02.2017 passed by the third respondent and quash the same as having lapsed/time barred and consequently direct the respondents to promote the petitioner as Stores Supervisor on par with his colleagues/juniors with all monetary, attendant and consequential benefits.

For Petitioner : Mr.V.Karthikeyan
For Respondents : Mr.S.Arivalagan

ORDER

Heard Mr.V.Karthikeyan, learned counsel appearing for the petitioner and Mr.S.Arivalagan, learned counsel appearing for the respondents.



2.This Writ Petition has been filed seeking for issuance of Certiorarified Mandamus to call for the departmental proceedings initiated against the petitioner by way of charge memo in its Ku.No.00385/012/Ni.Pi/Ni.U-3/Ko.O.Na/2017-1 dated 18.02.2017 passed by the third respondent and quash the same as having lapsed/time barred and consequently direct the respondents to promote the petitioner as Stores Supervisor on par with his colleagues/juniors with all monetary, attendant and consequential benefits.

3.Challenging the disciplinary proceedings initiated against him by issuing charge memo dated 18.02.2017, the petitioner has come forward with the present Writ Petition.

4.When this Writ Petition is taken up for hearing, the learned standing counsel for the respondents would submit that during pendency of the present Writ Petition, an Enquiry Officer was appointed, who, after conducting the enquiry, submitted his report. Based on the enquiry report, the petitioner has been issued with second show cause notice and the petitioner has yet to submit his explanation.

5.In view of the subsequent development, the petitioner is directed to submit his explanation to the second show cause notice issued against him on 07.12.2021 within a period of two weeks from the date of receipt of a copy of this order and on receipt of such explanation from the petitioner, the Disciplinary Authority shall consider and take decision in accordance with law, within a period of four weeks thereafter.

6.With the above direction, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Deputy Registrar (LA&MC)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

dn

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.

<https://hcservices.ecourts.gov.in/hcservices/>



To

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

2. The Superintending Engineer,
TANGEDCO,
Tuticorin Electricity Distribution Circle,
Tuticorin.

3. The Executive Engineer (Distribution),
TANGEDCO,
Kovilpatti-628 502,
Tuticorin District.

+1 CC to M/s.V.KARTHIKEYAN, Advocate (SR-1607[F] dated 12/01/2022)
W.P (MD) No. 6691 of 2021
12.01.2022

SVJ(CO)
GC(15.03.2022) 3P 5C