



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.02.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.6762 of 2019

and

W.M.P. (MD) Nos.5399 & 5400 of 2019

K.Krishnaveni

... Petitioner

-vs-

1. The Chief Engineer/Personnel,
144, Anna Salai,
Chennai-600 002.
2. The Superintending Engineer,
Madurai Electricity Distribution Circle,
(TANGEDCO), K.Pudur,
Madurai-625 007.
3. The Executive Engineer,
TANGEDCO, MEDC,
East Thirupalai, Madurai.
4. The Assistant Executive Engineer,
Madurai Electricity Distribution Circle,
Melur (South),
Madurai District.

... Respondents

Prayer:- Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus to call for the impugned order passed by the 1st respondent in his proceedings (Per.) CMD TANGEDCO proceedings No.109 dated 31.10.2018 and to quash the same and consequentially directing the respondents to grant promotion to the petitioner to the post of Assessment Officer in par with her juniors.

For Petitioner : Ms.P.Jessi Jeeva Priya

For Respondents : Mr.S.Arivalagan,
Standing Counsel



O R D E R

The Writ on hand has been filed to quash the TANGEDCO Proceedings No.109, dated 31.10.2018.

2.The grievance of the writ petitioner is that though he was eligible for promotion to the post of Assessment Officer, his promotion was deferred merely on the ground of want of Performance Assessment Report.

3.This Court is of the considered opinion that on account of certain administrative delay in furnishing the Performance Assessment Report, an employee cannot be denied his right of promotion.

4.It is brought to the notice of this Court that all other juniors were promoted. Non-submission of Performance Assessment Report is not the fault of the writ petitioner and there was a delay on the part of the authorities and for such delay, the petitioner cannot be penalized.

5.The learned Counsel appearing on behalf of the respondent-TANGEDCO made a submission that the authorities have already received the Performance Assessment Report and they will consider the name of the writ petitioner as quick as possible and grant promotion, if he is otherwise eligible on par with his juniors and extend all benefits as per the rules in force.

6.In view of the said submission, the respondents are directed to expedite the matter and consider the case of the petitioner for promotion on par with his junior, if there is no other impediment for grant of such promotion.

7.With the above directions, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS III)

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Sub Assistant Registrar(CS)

abr



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+1 CC to M/s.P.JESSI JEEVA PRIYA, Advocate (SR-8825[F] dated
25/02/2022)

W.P.(MD) No.6762 of 2019
23.02.2022

MGJ(05.03.2022) 3P 6C