



W.P.No.1517 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.01.2023

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.1517 of 2023

K.Venkatachalam

...Petitioner

Vs.

The Tamil Nadu Water Supply and Drainage Board,
Rep. By its Chairman and Managing Director,
Chepauk, Chennai 600 005

...Respondent

PRAYER: Writ Petition filed under Article 226 of Constitution of India, seeking Writ of Mandamus, directing the respondent to consider and pass orders on the Appeal dated 15.06.2010 and Reminders dated 10.12.2014, 15.10.2018, 10.03.2020 and 23.08.2022 submitted by the petitioner seeking notional promotion to the post of Superintending Engineer with monetary benefits on par with his immediate Junior Mr.B.Kothandaraman was promoted to the post of Superintending Engineer.

For Petitioner : Mr.Muthumani Doraisami

For Respondent : Mr.Pradeep Shankar
Standing counsel



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ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the respondent to consider and pass orders on the appeal that has been filed by the petitioner and which is pending from the year 2010 onwards.

2. The case of the petitioner is that he was appointed as an Assistant Engineer in the respondent Board in the year 1976. Thereafter, he was promoted and was holding the post of Executive engineer in the year 2003. In the year 2009, a panel was prepared for the post of Superintending Engineer and the name of the petitioner also found place in the said panel. At that point of time, a charge memo was issued against the petitioner and an enquiry officer was appointed and ultimately, a report was filed to the effect that the charges against the petitioner is not proved. However, disregarding the report of the enquiry officer, the respondent Board awarded punishment of stoppage of increment for six months with cumulative effect.



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3. Aggrieved by the above, the petitioner filed an appeal on 15.06.2010. Ultimately, the petitioner retired from service after attaining superannuation on 31.08.2010. The grievance of the petitioner is that he has been making repeated representations from the year 2014 onwards and inspite of the same, there has been absolutely no response from the respondents on the appeal that was filed by the petitioner. Hence, left with no other option, the present writ petition has been filed before this Court seeking for appropriate directions.

4. Heard Mr.Muthumani Doraisami, learned counsel for the petitioner and Mr.Pradeep Shankar, learned Standing counsel for respondents.

5. Taking into consideration the limited relief sought for in this writ petition and without going into the merits of the case, there shall be a direction to the respondent to pass final orders in the appeal that is pending from 15.06.2010 onwards, if the said appeal has not been disposed of till date. If any orders have already been passed by the respondent in the appeal, the same shall be communicated to the



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petitioner to enable the petitioner to work out his remedy in accordance with law. In any event, the said process shall be completed by the respondent within a period of four weeks from the date of receipt of the copy of this order.

6. The petitioner is directed to make a fresh representation to the respondent along with all relevant documents and also a copy of this order. This writ petition is disposed of with the above directions. No costs.

23.01.2023

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Index:Yes/No

Internet:Yes/No



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N.ANAND VENKATESH, J.,

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To

The Tamil Nadu Water Supply and Drainage Board,
Rep. By its Chairman and Managing Director,
Chepauk, Chennai 600 005

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