



Writ Petition No.1938 of 2023

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED: 25.01.2023**

**CORAM**

**THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH**

**Writ Petition No.1938 of 2023**

A.Kanagasivam  
S/o.Ammasi Gounder

... Petitioner

Vs.

1.The Chairman & Managing Director,  
Tamil Nadu Generation and Distribution  
Corporation Ltd., (TANGEDCO),  
NPKRR Maaligai, 10th Floor,  
144, Anna Salai,  
Chennai - 600 002.

2.The Chief Engineer (Personnel),  
Tamil Nadu Generation and Distribution  
Corporation Ltd., (TANGEDCO),  
NPKRR Maaligai, 10th Floor,  
144, Anna Salai,  
Chennai - 600 002.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus directing the respondents to consider the representation dated 30.12.2022 and to include the name of the petitioner for promotion to the post of Accounts Supervisor consequent to the proceedings of the second respondent in Letter No.018279/258/G.52/G.521/2022 dated 21.06.2022 with consequential promotion to the post of Accounts Supervisor with all consequential and



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attendant benefits, within a time frame prior to drawing of panel, to be fixed by this Court.

For Petitioner : Mr.S.Nedunchezhiyan

For Respondents : Mr.K.Rajkumar  
Standing Counsel  
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### **ORDER**

This writ petition has been filed for issuance of a writ of mandamus directing the respondents to consider the representation dated 30.12.2022 wherein the petitioner has sought for promotion to the post of Accounts Supervisor along with all consequential and attendant benefits.

2. The case of the petitioner is that he was initially appointed as contract labourer in the year 1994 and he was posted as temporary contract labourer during the year 2008-2011. Thereafter, he was sent for Mazdoor training from 2012-2014. On completion of the training, he was appointed as regular Mazdoor and he was subsequently posted as Field Assistant in the year 2016.

3. The further case of the petitioner is that a panel was drawn in the year 2017 by the second respondent through proceedings dated 28.12.2017 and the petitioner was given promotion to the post of Junior



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Assistant by the second respondent through proceedings dated 30.12.2017.

4. When the petitioner was working as Junior Assistant, his name was included in the panel for promotion to the post of Assistant in the year 2021 and he was promoted as an Assistant (Accounts) on 06.12.2021. The next avenue for promotion is to the post of Accounts Supervisor.

5. A panel was sought to be prepared to the post of Accounts Supervisor and the same became the subject matter of challenge in a writ petition before this Court in W.P.No.18644 of 2019. Initially, interim stay was granted in this writ petition and subsequently, the interim stay was vacated by an order dated 18.03.2020.

6. After the interim stay was vacated by this Court, a list was prepared and certain objections were made against the Board proceedings in B.P.No.18 dated 02.06.2020 by all the Unions. Pursuant to the same, the second respondent through proceedings dated 21.06.2021 called for the particulars for preparation of the panel for promotion to the post of



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Accounts Supervisor for the year 2022 and the crucial date was fixed as 20.03.2022.

7. The grievance of the petitioner is that the second respondent has completely left out the panel that was prepared for the year 2019, 2020 and 2021 and as a result of the same, the seniority of the petitioner will get affected and hence, a representation came to be given by the petitioner to the second respondent on 21.06.2022 expressing his objections. Similar objections/representations were also given by other aggrieved persons. Since the second respondent did not act upon the same, the present writ petition has been filed seeking for appropriate directions.

8. Heard Mr.S.Nedunchezhiyan, learned counsel for the petitioner and Mr.K.Rajkumar, learned Standing Counsel, appearing for the respondents.

9. 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 respondents to consider the representations/objections



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given by the petitioner and similarly placed persons on its own merits and in accordance with law and take a decision within a period of four (4) weeks from the date of receipt of a copy of this order. This exercise shall be completed before finalizing the panel for promotion to the post of Accounts Supervisor.

Accordingly, this Writ Petition is disposed of with the above direction. No costs.

**25.01.2023**

Neutral Citation: Yes/No

Index: yes/no

Speaking Order/Non-Speaking Order  
gm

To

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**N.ANAND VENKATESH, J**

gm

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