



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2023

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.2533 of 2023

N.Karthi Ganesh

Petitioner

vs.

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

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

3. The Chief Engineer/Distribution,
Chennai Region/North,
Tamil Nadu Generation and Distribution
Corporation Ltd., (TANGEDCO),
144, 10th Floor, NPKRR Maaligai,
Anna Salai, Chennai – 600 002.

4. The Superintending Engineer,
Sowcarpet Sub Division,
Egmore Division,
SE/CEDC/Central, Chennai.

.... Respondents



Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 3rd respondent to pass orders on the representation submitted by the petitioner dated 19.01.2023, consequent to the charge memo issued by the 3d respondent in Memo No.009497/402/Admn/B.Sec./B.2/2022 dated 06.12.2022 on verification of records, confirming the basis for charges framed, not related to the petitioner, before proceeding with any further.

For Petitioner : Mr.G.Sankaran,
Senior Counsel for
Mr.S.Neduchezhiyan

For Respondents : Mr.K.Rajkumar
Standing Counsel

ORDER

This writ petition has been filed for issuance of Writ of Mandamus directing the third respondent to consider the representation made by the petitioner on 19.01.2023 and to take a decision within the time frame fixed by this Court.

1. Heard Mr.G.Sankaran, learned Senior Counsel for the petitioner and Mr.K.Rajkumar, learned Standing Counsel appearing for the respondents.



3.The case of the petitioner is that he was working as the Assistant Executive Engineer in Operation and Maintenance, Sowcarpet Sub Division, Egmore Division, Chennai. It is pleaded that the petitioner received a letter from Executive Engineer dated 13.10.2020 and he was asked to conduct a discreet enquiry as against the Assistant Executive Engineer working at Anna Salai. Even though the petitioner was hesitant, ultimately he followed the directions and he conducted the discreet enquiry and he also submitted a report on 28.10.2020.

4.The grievance of the petitioner is that a charge memo dated 06.12.2022, has been issued against the petitioner based on the report given by him on 28.10.2020. According to the petitioner, if the charge memo is based on the report dated 28.10.2020, it should have been given only to Assistant Executive Engineer, Anna Salai and not to the petitioner.

5.It is under these circumstances, the petitioner made a representation to the third respondent on 19.01.2023, in order to ascertain as to the person against whom the charges are going to be framed and disciplinary proceedings are going to be initiated.



disciplinary proceedings or issue directions for expeditious completion more particularly where the disciplinary proceedings have been initiated recently.

However, this writ petition has been filed with peculiar facts which gives a *prima facie* impression that there is something wrong with the person against whom the department is now proceeding against pursuant to the charge memo issued on 06.12.2022. Hence, it becomes necessary for this Court to direct the third respondent to consider the representation made by the petitioner in this regard on 19.01.2023 and come to a conclusion. Thereafter, it is always left open to the third respondent to take a decision as to whether the proceedings are going to be proceeded against the petitioner or against any other person against whom the report was submitted by the petitioner on 28.10.2020. The third respondent shall take a decision on the representation made by the petitioner on 19.01.2023, within a period of **four weeks** from the date of receipt of a copy of this order. After taking such a decision, it is left open to the third respondent to proceed further in accordance with law.

7. This writ petition is disposed of with the above direction. No Costs.



01.02.2023

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Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
vm/kp

To

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N. ANAND VENKATESH, J.

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