



W.P.No.26622 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.11.2023

CORAM:

**THE HONOURABLE MR. JUSTICE D.BHARATHA
CHAKRAVARTHY**

W.P.No.26622 of 2013

N.Krishnan
S/o.Nallasivam Chettiar

...Petitioner

Vs

1. The Chairman
Tamil Nadu Electricity Board
144, Annasalai
Chennai-600 002.
2. The Chief Engineer (Personnel)
Tamil Nadu Electricity Board
144, Annasalai
Chennai-600 002.
3. The Secretary
Tamil Nadu Electricity Board
144, Annasalai
Chennai-600 002.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records relating to Memo No.007675/30/G.12/G.122/2012-4 dated 18.01.2023 from the 1st respondent and quash the same besides giving direction to the 1st



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respondent to fix the petitioner's seniority either from the date of the approval of the panel i.e., 14.12.2001 or date of joining Junior Engineer / Electrical I Grade i.e., 04.01.2002.

For Petitioner : Mr.S.Nagarajan
For Respondents : Mr.K.Raj Kumar
Standing Counsel

ORDER

The grievance of the petitioner, in short, is that the petitioner was promoted as Junior Engineer Grade-I vide order dated 14.12.2001, but however due to administrative delay by the respondents, the promotion order was dispatched to the petitioner only on 04.01.2002. He immediately joined the post. While the seniority was fixed, his date of joining was considered and his service is considered only with effect from 2002 alone. However, the delay in joining the duty is on account of administrative delay on the part of the respondents. It is the case of the petitioner that his seniority has to be fixed at S.No.467 above one C.Nirmala Renu and below S.V.Venkateswaran. Claiming so, the petitioner filed a writ petition in W.P.No.27963 of 2010 whereby, this Court has directed the respondents to consider the representation of the petitioner, which is now rejected by the impugned order.



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2. It can be seen that the seniority relates to the year 2001-2002.

The petitioner's earlier writ petition itself was filed in the year 2010.

When the petitioner's representation is rejected by the order impugned in this writ petition and when the petitioner challenges an order relating to the seniority and claims that he should be fixed above one C.Nirmala Renu, it was incumbent on the petitioner to have made the said C.Nirmala Renu and others as the parties to the writ petition, as in their absence, no orders re-fixing or quashing the seniority can be passed.

3. In that view of the matter, the writ petition is without any merits.

Accordingly, this Writ Petition stands dismissed.

27.11.2023

Index:Yes

Speaking order

Neutral Citation : No

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D.BHARATHA CHAKRAVARTHY.J.,

mk

To

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