



W.P.No.3454 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.01.2023

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THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.3454 of 2016
and W.M.P.Nos.2824 and 2826 of 2016

R.Vijayaragavan

... Petitioner

Vs.

1. The Chairman and Managing Director,
Tamil Nadu Generation and Distribution
Corporation Ltd., No.144, Anna Salai,
Chennai 600 002.

2. Tamil Nadu Generation and Distribution
Corporation Ltd., Rep. by its Secretary,
No.144, Anna Salai,
Chennai 600 002.

3. Chief Internal Audit Officer,
Audit Branch, Tamil Nadu Generation and
Distribution Corporation Ltd., Anna Salai,
Chennai 600 002.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the Memo mo.(per) No.20233/A3/A32/2006-24 dated 03.04.2010 by the 2nd respondent, quash the same to the extent of giving retrospective effect and consequently direct the respondents to grant



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promotion and other service benefits to the petitioner.

For Petitioner : M/s.S.Meenakshi

For Respondents : Mr.K.Rajkumar

ORDER

The petitioner challenges the order dated 03.04.2010, passed by the second respondent, ordering not to consider one year B.Com degree course under Distance Education mode for incentive increment and promotion, to the extent of giving retrospective effect to the said order.

2. The petitioner, who was 53 years of age at the time of filing of this writ petition, has reached the age of superannuation.

3. Learned counsel for the petitioner submits that he has no instructions in this matter to proceed further.

4. This Court is of the view that merely because the petitioner is qualified to be promoted to the further post, he cannot, as a matter of right, claim such promotion. However, by taking into account the fact that



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the petitioner has not instructed his counsel to get along with the case any further, the writ petition stands dismissed for non-prosecution. However, in case the petitioner is later of the view that he intends to proceed with the writ petition, he is at liberty to seek review of the order within a period of thirty days from the date of receipt of a copy of this order. Connected miscellaneous petitions are closed.

09.01.2023

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Speaking/Non-speaking order

Neutral Citation: Yes/No

Index: Yes/No

Internet: Yes/No

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To

1. The Chairman and Managing Director,
Tamil Nadu Generation and Distribution
Corporation Ltd., No.144, Anna Salai,
Chennai 600 002.
2. The Secretary,,
Tamil Nadu Generation and Distribution
Corporation Ltd., No.144, Anna Salai,
Chennai 600 002.



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M.S.RAMESH,J.

SR

3. The Chief Internal Audit Officer,
Audit Branch, Tamil Nadu Generation and
Distribution Corporation Ltd., Anna Salai,
Chennai 600 002.

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