



W.P.(MD)No.16209 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated: 26.04.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD).No.16209 of 2019

and

W.M.P(MD).Nos.12892 to 12894 of 2019

A.Kannan

... Petitioner

Vs.

1.The Superintending Engineer,
Sivagangai Distribution Circle,
Tamil Nadu Generation and Distribution Corporation Ltd.,
(TANGEDCO), Sivagangai.

2.The Executive Engineer,
(Operations),
Tamil Nadu Generation and Distribution Corporation Ltd.,
(TANGEDCO), Koviloor, Karaikudi,
Sivagangai District.

3.M.Dhanasekaran

4.M.Shanmugiah

5.K.Venkatesh

6.P.Chandran

7.T.Kumar

8.G.Stalinmary

9.J.Antochandra Bose

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus calling for the records pertaining to order of the first respondent dated 27.06.2019 in Memo No. 002035-1/SE/SEDC/SVGA/ADO/Adm.II/A.2/F.FM.LGr./2019 granting promotion to respondents 3 to 11 as Foreman Grade I and the consequential impugned order of the first respondent dated 28.06.2019 in the same and consequently direct the respondents 1 and 2 to place the petitioner in serial No.3 above respondents 3 to 9 and subsequently grant promotion to the petitioner as Foreman Grade I.

For Petitioner :Mr.J.Anandhakumar

For Respondents :Ms.M.Parameswari

Standing Counsel for R1 & R2

:No appearance for R3 to R9

ORDER

The present writ petition has been filed for quashing the order passed by the first respondent and for other consequential orders.

2. The contention of the petitioner is that he is entitled to promotion as Wireman in the year 2002 itself. The first respondent has considered and rejected the same, stating that he is having an appellate remedy to file a petition before the Chief Engineer, Personnel.



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3. The contract labourers were absorbed based on the report of Justice Khalid Commission and there were several contract labourers absorbed under the same Commission. The first respondent is not the appropriate authority to consider the case of the petitioner and therefore, the first respondent has rightly rejected the same.

4. Therefore, this Court directs the petitioner to submit a representation to the Chief Engineer, Personnel, Chennai, within a period of two weeks from the date of receipt of a copy of this order. Thereafter, the Chief Engineer, Personnel shall consider the case of the petitioner, if the petitioner is entitled to the promotion from 2002 onwards, and the same shall be granted with the consequential monetary and other benefits.

5. Accordingly, this writ petition stands disposed of on these terms. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

26.04.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

sbm



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