



W.P.(MD)No.17470 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 15.06.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.17470 of 2022

K.Krishnaveni

... Petitioner

Vs.

1.The Chief Engineer / Personnel (FAC),
Administrative Branch,
N.P.K.R.R.Maaligai,
144, Anna Salai,
Chennai - 600 002.

2.The Superintending Engineer,
Madurai Electricity Distribution Circle,
(TANGEDCO), K.Pudur,
Madurai 625 007.

3.The Executive Engineer,
TANGEDCO, MEDC,
East Thirupalai, Madurai.

4.The Assistant Executive Engineer,
Madurai Electricity Distribution Circle,
Melur (South), Madurai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the impugned order passed by the 1st respondent in Memo No.001996/G54/G542/2018-52 dated 21.06.2022 and to quash the same



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and consequentially directing the respondents to grant promotion to the petitioner to the post of Assessment Officer in par with her juniors.

For Petitioner : Mrs.S.Jessi Jeeva Priya

For Respondents : Mrs.M.Parameswari,
Standing Counsel.

ORDER

Heard the learned counsel on either side.

2.The petitioner is working in TANGEDCO as Revenue Supervisor. The next promotional post is Assessment Officer. The petitioner is aggrieved by the non-inclusion of her name in the promotion panel for the year 2018. The crucial date is 01.03.2018. An employee should have rated as good and above for being included in the promotion panel. However, the petitioner was rated only as average for the years 2015, 2016 and 2017. It has been established beyond doubt that these adverse entries were communicated to the petitioner only in the year 2020. In other words, the petitioner was denied promotion and not included in the promotional panel based on un-communicated adverse entries.



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3. In this view of the matter, the order impugned in the writ petition is set aside. The matter is remitted to the file of the first respondent.

Since the petitioner had already been communicated with the adverse entry, the petitioner can very well offer her response to the first respondent directly. Based on all the available records, the first respondent will decide if the petitioner has to be included in the 2018 promotional panel for the post of Assessment Officer. I consciously refrain from going into merits of the matter. The issue is left to the discretion of the first respondent to decide based on the relevant records and the response of the petitioner. The writ petitioner is given 15 days time from the date of receipt of a copy of this order to offer her response. The first respondent shall pass an order on the petitioner's request within a period of six weeks thereafter.

4. This writ petition is allowed on these terms. No costs.

15.06.2023

NCC : Yes / No
Index : Yes / No
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G.R.SWAMINATHAN,J.

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