



W.P.(MD).No.23864 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.09.2023

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.23864 of 2023

and

W.M.P(MD)No.20027 of 2023

B.Irrulappan

... Petitioner

Vs.

1.The Chief Engineer (Personnel),
TANGEDCO,
Anna Salai,
Chennai.

2.The Superintending Engineer,
Virudhunagar Division,
TANGEDCO,
Virudhunagar.

3.The Executive Engineer (Distribution),
TANGEDCO,
Rajapalayam,
Virudhunagar 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 records relating to impugned order, dated 20.09.2023 passed in Ku.Aa.No. 882/NeA/Nimo/Nip2/U1/Ko.Va.Ni/2023 by the second respondent herein and quash the same and consequently direct the second respondent to fix the age of



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the petitioner as 55 years on 16.02.2023 in between the ages 50 to 60 years given by the Medical Board, by considering the petitioner's representation, dated 26.09.2023.

For Petitioner : Mr.G.Balumahendran

For Respondents : M/s.M.Parameswari
Standing Counsel

ORDER

The present writ petition has been filed for a Writ of Certiorarified Mandamus, calling for the records relating to impugned order, dated 20.09.2023 passed in Ku.Aa.No.882/NeA/Nimo/Nip2/U1/Ko.Va.Ni/2023 by the second respondent herein and quash the same and consequently direct the second respondent to fix the age of the petitioner as 55 years on 16.02.2023 in between the ages 50 to 60 years given by the Medical Board, by considering the petitioner's representation, dated 26.09.2023.

2. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.



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3. The petitioner had been working in the respondent Electricity Department as a Contract Labour on 2007. Thereafter, from 18.12.2012, he was working as Mazdoor and on 09.01.2014, he was regularised. Thereafter, he worked as Field Helper from 23.09.2016 and promoted as Wireman on 31.12.2018. While so, the second respondent on 25.09.2023, issued an order vide proceedings on 20.09.2023 stating that the petitioner is superannuated on 30.09.2023, even before attaining the age of superannuation. Hence, challenging the same, this writ petition came to be filed.

4. Considering the fact that the petitioner has been superannuated by the respondents even before attaining the age of superannuation, this Court is inclined to quash the impugned proceedings, dated 20.09.2023 and remand back the same to the first respondent and consequently, directing the first respondent to verify with the records and pass appropriate orders in accordance with law, within a period of eight (8) weeks from the date of receipt of a copy of this order.



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5. With the above said observation, this writ petition stands disposed of.
There shall be no order as to costs. Consequently, connected Miscellaneous
Petition stands closed.

29.09.2023

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

Note: Issue order copy on 29.09.2023.

To

- 1.The Chief Engineer (Personnel),
TANGEDCO,
Anna Salai,
Chennai.
- 2.The Superintending Engineer,
Virudhunagar Division,
TANGEDCO,
Virudhunagar.
- 3.The Executive Engineer (Distribution),
TANGEDCO,
Rajapalayam,
Virudhunagar District.



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L.VICTORIA GOWRI, J.

BTR

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