



W.P(MD)No.30383 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.12.2023

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THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.30383 of 2023

S.Murugeswari

... Petitioner

Vs.

1.The Superintending Engineer,
TANGEDCO,
Palladam Electricity Distribution Circle,
Palladam,
Thiruppur District.

2.The Assistant Engineer,
TANGEDCO,
Manakkadavu,
Tharapuram Taluk,
Thiruppur District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents not to terminate the petitioner from the Post of Assessor held by the Petitioner at the office of the 2nd respondent till the disposal of the Appeal, dated 10.08.2023 pending on the file of the State Level Scrutiny Committee / Government Additional Secretary, Schedule Caste and Schedule Tribe Department at Secretariate, Chennai in the light of the order, dated 19.12.2016 passed in W.P.(MD)No.16467 of 2014 on the file of this Court.



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For Petitioner : Mr.B.Prahalad Ravi

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

ORDER

The present writ petition has been filed by an Assessor (Grade-II) working in TANGEDCO seeking a Mandamus as against the employer not to terminate him while proceedings are pending before the State Level Scrutiny Committee with regard to the verification of his Community Certificate.

2. According to the learned counsel appearing for the writ petitioner, he had challenged an order passed by the District Level Scrutiny Committee in W.P(MD)No.16467 of 2014. By an order, dated 19.12.2016, Hon'ble Division Bench was pleased to pass the following order:

“5. Since the petitioner is having an alternative remedy, this Court is not inclined to entertain the writ petition. However, considering the facts and circumstances of the case, the petitioner is directed to file an appeal as against the impugned order before the concerned District Collector within a period of one week from the date of



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receipt of the order. On receipt of such appeal, the concerned District Collector is directed to dispose of the same within a period of four weeks from the date of receipt of the appeal. If the petitioner approached the State Level Scrutiny Committee aggrieved by the order passed in the appeal, the State Level Scrutiny Committee shall dispose of the same within a period of eight weeks thereafter. Till such time, the 2nd and 3rd respondents are directed to maintain status quo as on date.”

3. Thereafter, the petitioner had suffered an order at the hands of the District Level Scrutiny Committee and he had filed an appeal before the State Level Scrutiny Committee on 10.08.2023 which is yet to be disposed off. It is the apprehension of the writ petitioner that the employer may terminate him on the ground that he had suffered an order at the hands of the District Level Scrutiny Committee. The learned standing Counsel appearing for TANGEDCO pointed out that so far no enquiry notice has been furnished by the writ petitioner.

4. Considering the above said facts, the State Level Scrutiny Committee is directed to consider the appeal presented by the writ petitioner on 10.08.2023 and pass orders within a period of three (3)



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months from the date of receipt of copy of this order. Till such time, the respondents are directed to maintain *status quo*.

5. With the above said observations, this Writ Petition stands disposed of. No costs.

20.12.2023

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

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To

- 1.The Superintending Engineer,
TANGEDCO,
Palladam Electricity Distribution Circle,
Palladam,
Thiruppur District.
- 2.The Assistant Engineer,
TANGEDCO,
Manakkadavu,
Tharapuram Taluk,
Thiruppur District.
- 3.The State Level Scrutiny Committee /
Additional Secretary to Government,
Schedule Caste and Schedule Tribe Department,
Secretariat, Chennai.



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R.VIJAYAKUMAR,J.

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Order made in
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