



WEB COPY



WP.No.26519 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.07.2024

CORAM

THE HONOURABLE MRS. JUSTICE R.KALAIMATHI

W.P.No.26519 of 2012

and

MP.No.1 of 2012

M.Ramesh Kumar

...

Petitioner

Vs.

1.The Chief Engineer /Personnel,
Tamil Nadu Electricity Board,
Administrative Branch,
800, Anna Salai,
Chennai-600 002.

2.Tamil Nadu Generation and Distribution
Corporation Ltd., (TANGEDCO),
Rep.by its Superintending Engineer,
Hydro Generation Circle,
Kunda, Nilgiris District

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records of the 2nd respondent and quash the impugned Memo. No.008586/209/Admn/JA/F.Audit/11, dated 03.12.2011 and



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consequently direct the 2nd respondent to restore the scale of pay as that was given as per proceedings dated 30.05.2008.

For Petitioner : Mr.V.Stalin
For respondents : Mr.David Sundar Singh,
standing counsel

ORDER

An office Memo. No.008586/209/Admn/J.A/F.Audit/11, dated 03.12.2011 issued by the 2nd respondent is under challenge.

2. Heard Mr.V.Stalin, the learned counsel appearing for the petitioner and Mr.David Sundar Singh, the learned Standing counsel appearing for the respondents 1 and 2.

3. As per Memo No.021883/866/Admn-I/J.A/F.Pay/2015, dated 27.01.21015 issued by the Superintending Engineer, Generation Circle/Kundah, the above mentioned impugned Office Memo is cancelled and the pay of the petitioner was also revised.



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4. The relevant portion of the memo is extracted hereunder:

"...

Ref:-

1. Audit Slip No.31/dt.28.07.11
- 2.This office Memo No. 008586/209/Admn/JA/F.Audit/11, dated 03.12.2011
- 3.Secrett.Br./TANGEDCO/Chennai's Lr.No.54128/A3/A32/2010-3 dated 25.08.2014.

Thiru. M.Rameshkuar Assistant Engineer (Ele)/Power House-4 was sanctioned with two incentive increments for having passed the M.Tech degree course through distance education mode at Janardanan Rai Nagar Rajasthan Vidhyapeeth (Deemed University) Udaipur.

2.As per Audit Slip No.31/ dated 28.07.2011, sanctioning of two incentive increments is objected as the said course is not recognized and through distance mode. Accordingly, the pay of the official has been revised under reference (2) cited.

3. Now under reference (3) cited, it has been classified that, the said course is approved one and two incentive increments sanctioned to the official is in order.

4.Hence the revised pay ordered under reference (2) cited is hereby cancelled and the pay of Thiru M.Ramesh Kumar/Assistant Engineer (Ele)/Power House-4 is revised"

5. The impugned memo has been cancelled and the pay of the petitioner is also received. Recording the said submissions, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

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Speaking order/Non-speaking order

Neutral: Yes /No

jrs



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- To
- 1.The Chief Engineer /Personnel,
Tamil nadu Electricity Board,
Administrative Branch,
800, Anna Salai, Chennai-600 002.
 - 2.. The Superintending Engineer,
Tamil Nadu Generation and Distribution
Corporation Ltd., (TANGEDCO),
Hydro Generation Circle,
Kunda, Nilgiris District.
 - 3.The Section Officer,
V.R.Section, High Court, Madras.



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R.KALAIMATHI, J.

jrs

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