



WEB COPY



W.P.No.11987 of 2018

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

DATED : 31.07.2024

CORAM :

**THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR**

W.P.No.11987 of 2018

and

W.M.P.No.13970 of 2018

M.Chinnaponnu

... Petitioner

Vs.

1.The State of Tamil Nadu,  
Rep by its Principal Secretary to  
Government Energy Department,  
Fort St.George,  
Chennai – 600 009.

2.The Chairman,  
Tamilnadu Electricity Board/TANGEDCO,  
No.800, Anna Salai,  
Chennai – 600 002.

3.The Superintending Engineer,  
Mettur Electricity Distribution Circle,  
Mettur Dam – 1.

4.The Chief Internal Officer/Audit Branch,  
No.807, Chengalvarayan Buildings,  
7<sup>th</sup> Floor, Anna Salai,  
Chennai – 600 002.

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus, to call for the records of the order passed by the 3<sup>rd</sup> respondent in Ku.Aa.No.426-2/N1B1.1/K00.case/2017 dated 17.11.2017 and to quash the same and to direct the respondents to grant selection grade in the lower post viz., Assistant (Accounts) to the petitioner from the date of her eligibility i.e., from 01.07.2014 till 31.08.2016 and to refix the pay as already fixed vide order of the respondent dated 28.01.2015 and repay the amount of Rs.76,539/- (Seventy Six Thousand Five Hundred and Thirty Nine) that has been recovered from the petitioner.

For Petitioner : Mr.R.Syed Mustafa

For Respondents : Ms.E.Ranganayaki  
Additional Government Pleader  
for R1

Mr.K.Rajkumar  
for R2 to R4

### **ORDER**

After hearing the arguments of the learned counsel for the petitioner for sometime, he fairly submitted that there cannot be any exception to the reasons given in the impugned order. Hence impugned order needs no interference. However, further contended that similarly situated persons who were promoted



*W.P.No.11987 of 2018*

to the post of Accounts Supervisor even before completion of 9 years of service in the cadre of Assistant (Accounts) and considering the fact that the said officers have reported to the promotional post after completing the period of 9 years in the post of Assistant (Accounts), they were extended the benefit of selection grade in the post of Assistant (Accounts). But similarly situated persons were denied the benefit of selection grade.

2. Learned counsel for the petitioner further contended that one M.Munusamy, P.Senthilkumar, R.Arjunan and R.Kavitha etc., are the persons who are extended the benefit for selection grade, though they were also similarly placed persons like petitioner. But, the petitioner alone is singled out and denied the said benefit by passing the impugned order. Therefore, the petitioner seeks liberty of this Court to submit appropriate representation to extend the benefit that was extended the other similarly situated persons.

3. Taking into consideration, the submissions made by the learned counsel for the petitioner, the petitioner is granted liberty to make representation before the third respondent making a claim for extending the similar benefit that was extended to the above named persons and in case, if



*W.P.No.11987 of 2018*

any such representation is submitted by the petitioner, the same shall be considered by the third respondent after duly taking into consideration the benefit that was stated to have been extended to the similarly situated persons as expeditiously as possible at any rate within a period of three months from the date of submission of the representation of the petitioner.

4. Accordingly, this Writ Petition is disposed of. No costs. Consequently, connected writ miscellaneous petition is closed.

**31.07.2024**

Index : Yes/No  
Internet : Yes/No  
Speaking Order/Non-Speaking Order  
Neutral Citation : Yes/No

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**MUMMINENI SUDHEER KUMAR, J.**

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