



WEB COPY



W.P.No. 1585 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2024

CORAM

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P.No.1585 of 2018

K.B.Kirubakar
S/o.Bala Singh

... Petitioner

Vs.

1. Tamil Nadu Generation and Distribution
Corporation
Rep. by its Chairman cum Managing Director
144, Anna Salai, Chennai-600 002.

2. The Secretary
Tamil Nadu Generation and Distribution
Corporation Ltd.,
144, Anna Salai, Chennai-600 002.

... Respondents

Writ petition is filed under Article 226 of the Constitution of India
for issuance of a Writ of Mandamus directing the 1st respondent to
consider the petitioner's representation dated 26.07.2017.

For Petitioner	:	Mr.A.Saranraj
For Respondents	:	Mr.K.Raj Kumar standing counsel



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ORDER

This writ petition has been filed against the inaction of the first respondent in considering the representation dated 26.07.2017 submitted by the petitioner.

2. The case of the petitioner is that he was working in the cadre of Auditor in the Audit Branch of the respondent Corporation from 15.05.2008. As per the Tamil Nadu Electricity Board Orders and Service Regulations for promotion to the post of Assistant Audit Officer, required qualifications are provided in B.P.Ms.No.750 dated 30.04.1979. Though the petitioner is eligible for the promotion to the post of Assistant Audit Officer from 15.05.2008 onwards, his case is not considered. Aggrieved by the same, he made a representation on 26.07.2017 to the respondents. As the said representation is not considered by the respondents, against their inaction the petitioner has approached this Court by filing this writ petition.



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3. On behalf of respondents, a counter affidavit has been filed.

4. In the counter affidavit, the respondents have raised several contentions but they cleverly avoided to give information with regard to the status of the representation submitted by the petitioner on 26.07.2017. There is no averment in the counter affidavit stating that the representation of the petitioner is yet pending or it is disposed of.

5. Considering the facts and circumstances of the case and the grievance of the petitioner is with regard to non-consideration of his representation dated 26.07.2017, in my considered view, it is appropriate and desirable to dispose of this writ petition without going into the merits of the case, with a direction to the respondents to consider the representation of the petitioner dated 26.07.2017 in accordance with law and pass appropriate orders within stipulated time and communicate the same to the petitioner.



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6. Accordingly, this Writ Petition is disposed of with a direction to the respondents to consider and dispose of the representation dated 26.07.2017 of the petitioner and pass appropriate orders on merits and in accordance with law and communicate the same to the petitioner within a period of four weeks from today.

7. There shall be no order as to costs.

01.02.2024

Speaking Order / Non-speaking Order

Index :Yes/No

Neutral Citation :Yes/No

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To

1. Tamil Nadu Generation and Distribution Corporation
Rep. by its Chairman cum Managing Director
144, Anna Salai, Chennai-600 002.
2. The Secretary
Tamil Nadu Generation and Distribution Corporation Ltd.,
144, Anna Salai, Chennai-600 002.



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BATTU DEVANAND, J.

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