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Rev.Aplw. No.174 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.02.2024

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

Review Application No.174 of 2023

against

W.P. No.24892 of 2012

M.Balasubramani,
Son of Late Muthusamy,
No.162, Anna Nagar,
Manaparai Post,
Tiruchirapalli District – 621 306.

... Petitioner

Vs.

1.The Tamil Nadu Electricity Board,
Rep. by its Chairman,
No.800, Anna Salai, Chennai 600 002.

2. The Chief Engineer/Personnel,
The Tamil Nadu Electricity Board,
No.800, Anna Salai, Chennai 600 002.

...

Respondents

Prayer: Review Application filed under Order XLVII Rules 1 read with section 114 C.P.C., to review the order dated 30.06.2022 in W.P.No.24892 of 2012.

For Petitioner : Mr.K.Selvaraj

For Respondents : Mr.K.Rajkumar
Standing Counsel



ORDER

WEB COPY The petition for Review of the order in W.P.No.24892 of 2012 was filed primarily on the premise that the petitioner had been deprived of the promotion which is legitimately due only in view of the fact that the Respondent had not carried out the exercise of promotion to the post of Junior Engineer Grade despite several posts being vacant. That strangely, 5 months after the petitioner's retirement, several of his juniors were promoted, which shows that the promotions were withheld for extraneous reasons. The learned counsel for the petitioner would also refer to certain decisions in support of his contentions.

2. The learned counsel for the Respondents would submit that none of the juniors of the petitioner were promoted prior to the date of retirement of the petitioner. Further, the order of this Court in W.P.No.24892 of 2012 does not warrant any interference and the review petition is liable to be rejected.

3. The learned counsel for the petitioner would then request the leave



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of this Court to submit a representation before the Respondents. It was submitted that the petitioner is already 80 years of age and thus the petitioner's case may be considered on sympathetic grounds.

4. The learned counsel for the respondents would submit that if any such representation is made, the same would be considered.

5. In the circumstances, the Review Application is disposed of with a direction that if any representation is made by the petitioner, the same shall be considered by the Respondents and orders passed in accordance with law after granting an opportunity within a period of 8 weeks from the date of receipt of a copy of this order. No costs.

26.02.2024

Speaking (or) Non Speaking Order

Index : Yes/ No

Neutral Citation: Yes/No

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MOHAMMED SHAFFIQ, J.

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To:

- 1.The Chairman, The Tamil Nadu Electricity Board,
No.800, Anna Salai,
Chennai 600 002.
2. The Chief Engineer/Personnel,
The Tamil Nadu Electricity Board,
No.800, Anna Salai,
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