



W.P.No. 29167 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2024

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THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P.No.29167 of 2017

and

W.M.P.Nos.31434 & 31435 of 2017

1. S.Bharathan
S/o.P.Sathiyaseelan
2. L.Mahalakshmi
D/o.K.Lingusamy
3. B.Premalatha
D/o.S.Balakrishnan
4. C.Deepa
D/o.A.Chinnaiyan
5. M.Bharathi
D/o.P.Muthukumarasamy
6. S.S.Valli

... Petitioners

Vs.

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



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2. The Chief Engineer / Personnel
Tamil Nadu Generation and Distribution
Corporation
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 to forbear the 2nd respondent from finalizing promotion panel for the post of AEE/Electrical without first issuing a final seniority list of Assistant Engineers (Electrical) and disposing of the appeals preferred by the petitioners as against the list and tentative seniority list drawn by the 2nd respondent dated 20.06.2017 enclosed with Memo dated 20.06.2017 and Memo dated 06.11.2017 respectively.

For Petitioners : Mr.K.M.Ramesh
For Respondents : Mr.K.Raj Kumar
standing counsel

ORDER

This writ petition has been filed to forbear the 2nd respondent from finalizing promotion panel for the post of AEE/Electrical without issuing a final seniority list of Assistant Engineers (Electrical) and disposing of the appeals preferred by the petitioners as against the list and tentative seniority list drawn by the 2nd respondent dated 20.06.2017 enclosed with Memo dated 20.06.2017 and Memo dated



2. Heard learned counsel for the petitioners and learned standing counsel for the respondents.

3. On perusal of the materials available on record, the petitioners are working as Assistant Engineers in the respondent Corporation. The second respondent proposed to grant promotions on the basis of the tentative seniority list drawn in the category of Assistant Engineers / Electrical and Junior Engineers / Electrical to the next higher post of AEE/Electrical. The grievance of the petitioners is that without finalizing the seniority list, the respondents are proceeding to effect promotions to the post of AEE / Electrical. Aggrieved by the action of the respondents, the petitioners have preferred appeals before the second respondent on 20.07.2017. The grievance of the petitioners is that without disposing the said appeals, the respondents are proceeding with the finalization of the promotional panel for the post of AEE/Electrical.



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4. A counter affidavit has been filed on behalf of respondents.

5. During the course of hearing, learned standing counsel for the respondents submits that the contention of the petitioners that the appeals preferred by them are pending for consideration is true and it is not yet disposed of. Learned standing counsel submits that the seniority list of AEE / Electrical is not yet finalized and as such finalizing, the promotion panel for the post of AEE/Electrical does not arise.

6. Considering the facts and circumstances of the case and the submissions made by learned standing counsel for the respondents, in my considered opinion, it is desirable to dispose of this writ petition without going into the merits of the case, with a direction to the second respondent to dispose of the appeals submitted by the petitioners dated 20.07.2017 within stipulated time, in the interest of justice.

7. Accordingly, this Writ Petition is disposed of directing the second respondent to dispose of the appeals dated 20.07.2017 submitted



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by the petitioners and pass appropriate orders on merits and in accordance with law, within a period of six weeks from today. It is made it clear that till the disposal of the appeals, the respondents are directed to maintain status quo in all respects.

8. Consequently, connected miscellaneous petitions are closed.

9. 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

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2. The Chief Engineer / Personnel
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BATTU DEVANAND, J.

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