



W.P.(MD)No.17745 of 2020

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD)No.17745 of 2020

S.Jebasingh Rajan

... Petitioner

Vs.

- 1.The Chairman,
Tamil Nadu Electricity Board,
No.144, Anna Salai,
N.P.K.R.R. Maligai,
Chennai – 600 002.
- 2.The Chief Engineer(Personnel),
TANGEDCO,
No.144, Anna Salai,
N.P.K.R.R. Malaigai,
Chennai – 600 002.
- 3.The Superintendent Engineer,
O/o.Superintending Engineer,
Metro, TANGEDCO,
Madurai Region, K.Pudur,
Madurai District – 600 007.



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- 4.The Assistant Engineer,
O/o.Assistant Engineer (Distribution),
Sindhamani TNEB Division,
TANGEDCO,
Madurai District.
- 5.The Superintending Engineer,
Nagercoil Electricity Distribution Circle,
TANGEDCO, Bharvathipuram,
Nagercoil,
Kanyakumari District.
- 6.The Executive Engineer,
TANGEDCO,
Bharvathipuram Division,
Nagercoil,
Kanyakumari District -629 001.
- 7.The Executive Engineer,
South Division, TANGEDCO,
Subramaniyapuram,
Madurai City.
- 8.The Assistant Executive Engineer,
(Distribution), Kottaram,
Kanyakumari District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to permit the petitioner to continue his service in the Promotion Post of Inspector of Assessment at the respondent



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No.4 office in the light of the promotion order passed by the respondent No.3 in Memo No.171/Me.Po/MaMiPaVa/Peru/Madu/NiA/NiPi1/U1/2020 dated 07.05.2020 and in the light of the order passed in W.M.P.No.6591 of 2020 in W.P.7155 of 2020 dated 02.07.2020.

For Petitioner :Mr.I.Pinaygash
For Respondents :M/s.Parameswari,
Standing Counsel

ORDER

This Writ Petition is filed seeking for a Mandamus to the respondents to permit the petitioner to continue in the Promotional Post of Inspector of Assessment in the office of the fourth respondent in terms of the promotion order issued by the third respondent in Memo No. 171/Me.Po/MaMiPaVa/Peru/Madu/NiA/NiPi1/U1/2020, dated 07.05.2020 and in the light of the order passed in W.M.P(MD)No.6591 of 2020 in W.P(MD)No.7155 of 2020, dated 02.07.2020.



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2. Brief facts that are relevant for the disposal of the writ petition are as under:

The petitioner was promoted as Inspector of Assessment through Memo, dated 07.05.2020, and immediately thereafter, the fourth respondent issued another Memo, dated 17.06.2020, withdrawing the said promotion given to the petitioner. Aggrieved by the said Memo, dated 17.06.2020, the petitioner approached this Court by filing a writ petition in W.P(MD)No.7155 of 2020 and in the said writ petition, this Court granted interim suspension of the Memo, dated 17.06.2020. As the said interim order was not given effect to by the respondents, the petitioner filed the present writ petition seeking the relief as noted above.

3. During the pendency of this writ petition, the earlier writ petition filed by the petitioner in W.P(MD)No.7155 of 2020, was disposed of and final order was passed by the learned Single Judge of this Court vide order, dated 06.10.2021, duly setting aside the Memo, dated 17.06.2020, and also gave



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liberty to the petitioner to work out his remedy for the other grievances, if any, before the respondents in the manner known to law.

4. Liberty was granted to the petitioner by taking into consideration of the fact that the Memo, dated 17.06.2020, was suspended by this Court at the time of admission of the writ petition in W.P(MD)No.7155 of 2020 and finally, the same was set aside vide order, dated 06.10.2021. Thus, the grievance of the petitioner is practically redressed.

5. However, it is contended by the learned counsel for the petitioner that by virtue of the interim suspension granted by this Court vide order, dated 02.07.2020, the petitioner is entitled to continue in the Promotional Post and also for payment of salary from the date of passing of the promotion order.

6. As this Court in the final order passed in W.P(MD)No.7155 of 2020, granted liberty to the petitioner to work out his remedy before the respondents, it is for the petitioner to submit appropriate representation seeking for payment of



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salary or otherwise. In case any such representation is submitted by the petitioners, the respondents shall consider the same and pass appropriate orders in accordance with law, within a period of six weeks from the date of submission of such representation by the petitioner.

With the above directions, this writ petition is disposed of. No Costs.

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Neutral Citation: Yes / No
Index : Yes / No
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