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WP No. 13672 of 2016



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-10-2025

CORAM

THE HONOURABLE MR.JUSTICE K. SURENDER

WP No. 13672 of 2016

C.R.Sridhar,

Petitioner(s)

Vs

1. The Chairman Cum Managing
Director, TNGEDCO, Chennai-600
002.

2.The Chief Engineer (Personnel)
Tamil Nadu Electricity Board, Chennai.

3.The Chief Engineer,
Erode Region, TANGEDCO, Erode.

4.The Additional Chief Engineer/
Superintending Engineer,
TANGEDCO, Erode.

5.The Assistant Executive
Engineer, TANGEDCO,
Distribution/South, Erode.

Respondent(s)

PRAYER

This Writ Petition is filed under Article 226 of Constitution of India seeking Writ of Certiorarified Mandamus to call for the records from the respondents quash the charge memo related to order passed by the 4th respondent vide Memo Koo Aa.No.001772/908/ NiPi(3)/ Co.o.Na./ 2011-13 dated 15.03.2013 and the order passed by the 3rd respondent vide Memo Koo.Aa. No.011271/274/ NiPi2/ Aa1/ 2013-2 dated 12.08.2013 and order passed in No.218 by 1st respondent dated 13.10.2015 quashing the same consequently directing the respondents 1,3,4th to pay the back wages payable to



the petitioner for two years since 15.03.2013.

For Petitioner(s): Mr.S.Muthiah

For Respondent(s): Mr. C.Ramkumar

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ORDER

This Writ Petition has been filed seeking issuance of a Writ of certiorarified Mandamus to quash the order passed by the fourth respondent vide proceedings in KoO Aa.No.001772/908/NIPI(3)/Co.o.Na./2011-13, dated 15.03.2013 and the consequential order passed by the third respondent in Koo.Aa.No.011271/274/nipi2/Aa1/2013-12 dated 12.08.2013, as well as the order of the first respondent in Proceedings No.218 dated 13.10.2015, and for a consequential directions to respondents to pay the backwages payable to the petitioner from 15.03.2013.

2. The brief facts of the case are that the petitioner was working as Junior Engineer, Grade-I, at Mullamparappu. By proceedings dated 08.09.2011 issued by the fourth respondent, he was transferred to Salangapalayam. Subsequently, by order dated 09.03.2012, the transfer was cancelled and he was posted to Elumathur. Accordingly to the respondents, the petitioner did not join duty at the transferred place. Though he subsequently sent a letter dated 13.03.2012 stating that he was unwell and sought leave for the period from 14.09.2011 to 13.03.2012, no proper medical leave application was submitted in



accordance with rules.

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3. Charges were framed on 12.04.2012 alleging (I) failure to join duty at the transferred place, (ii) failure to submit proper medical leave application and (iii) failure to hand over charge to the successor while being relieved from Mullamparappu, thereby causing administrative inconvenience. Though the petitioner was directed to appear before the Medical Board on three occasions, to substantiate his medical claim, he failed to do so. After conducting a departmental enquiry, the charges were held proved.

4. Based on the findings of the enquiry, the fourth respondent by order dated 15.03.2013 in KoO Aa.No.001772/908/NIPI(3)/Co.o.Na./2011-13, imposed of reduction of pay to the minimum of the time scale of pay of his present post for a period of two years, with cumulative effect, thereby postponing his further increments. The said order was confirmed by the third respondent and thereafter by the first respondent.

5. The learned counsel for the petitioner submitted that the petitioner was not properly intimated regarding the dates fixed for appearance before the Medical Board and that he has produced medical certificates in support of his illness. It was contended that the punishment imposed is disproportionate to the alleged misconduct.



6. Per contra, the learned counsel for the respondents submitted that the petitioner neither joined duty nor complied with the direction to appear before the Medical Board despite repeated opportunities. Except for certain medical certificates, no reliable material was produced before the disciplinary authority to substantiate prolonged illness. Hence, the punishment was justified.

7. This Court has considered the rival submissions, and perused the records. The materials placed before the disciplinary authority clearly indicate that the petitioner failed to appear before the Medical Board despite repeated directions. The findings rendered in the departmental enquiry do not suffer from any procedural irregularity warranting interference under Article 226 of the Constitution of India.

8. However, considering the overall circumstances and the nature of the misconduct, this Court is of the view that the punishment imposed by the fourth respondent by order dated 15.03.2013 is excessive. Accordingly, the punishment imposed by the fourth respondent in KoO Aa.No.001772/908/NIPI(3)/Co.o.Na./2011-13, as confirmed by the third and first respondents, is modified as follows:

*“stoppage of his next annual increment to the revised Pay Band of Basic Pay + Grad pay shall at the rate of three percent for two years **without** cumulative effect including spent on leave.”*



9. It is needless to say that the petitioner shall be entitled to all consequential monetary and attendant service benefits arising out of such modification. The respondent shall re-fix petitioner's pay and extend such benefits within a period of eight weeks from the date of receipt of a copy of this order.

10. With the above directions, the Writ Petition stands disposed of.

No costs.

K.SURENDER, J.
10-10-2025

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Index:Yes/No
Speaking/Non-speaking order
Internet:Yes
Neutral Citation:Yes/No



To

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