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E.Balasubramani vs the Superintending Engineer

E.Balasubramani vs the Superintending Engineer

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Court : Chennai

Decided On : Apr-30-2025

Judge : Honourable Mr Justice C.V. Karthikeyan

Appeal No. : WP/16010/2025

Appellant : E.Balasubramani

Respondent : The Superintending Engineer

Judgement :

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.04.2025

CORAM

THE HONOURABLE MR JUSTICE C.V. KARTHIKEYAN E.Balasubramani ... Petitioner Vs. Chennai - 40. ... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondent to review the suspension order dated 29.12.2020 in Memo No.196/SE/ CEDC/W/ADMO/ADS/ADM.II/A1/F. Suspension/2020 issued against the petitioner by considering the petitioner's representation dated 13.03.2025

as per guidelines issued under G.O.Ms.No.81, dated 04.08.2022 on the file of Human Resource Management Department and Chapter-II, Section 2(3) of the Tamilnadu Electricity Board Employees Discipline and Appeal Regulations and grant such other relief. For Petitioner : Mr.R.Rajarajan For Respondent : Mr.David Sunder Singh Standing Counsel for TANGEDCO

ORDER

This writ petition has been filed in the nature of a Mandamus, seeking a direction against the respondent to review the order of suspension dated 29.12.2020 issued against the petitioner. The petitioner made a representation on 13.03.2025. The petitioner placed reliance on G.O.Ms.No.81, Human Resources Management (N) Department, dated 04.08.2022. The petitioner placed further reliance on Section 2(3) of the Tamil Nadu Electricity Board Employees Discipline and Appeal Regulations.

2.In the affidavit filed in support of the writ petition, it had been contended that the petitioner was working as Senior Line Inspector under the respondent and was posted at Ayyapakkam Division on 18.01.2019. He was arrested owing to registration of FIR in Crime No.23/2020 registered by the Vigilance and Anti-Corruption Department, on 28.12.2020. He was remanded to judicial custody and was released on bail. The trial in this case in Special C.C.No.1 of 2022 is still pending on the file of Chief Judicial Magistrate, Thiruvallur. The petitioner seeks a review by the respondent of the order placing the petitioner under

 suspension, particularly in light of the guidelines issued in G.O.Ms.No.81, dated 04.08.2022.

3.A direction is issued to the respondent to consider the petitioner's representation and to examine whether the petitioner's suspension may be revoked and whether he may be transferred or posted to a non-sensitive position, where he would not be in a position to directly influence any of the witnesses. The petitioner's representation may be disposed of within a period of six weeks from the date of receipt of a copy of this order.

4.The writ petition stands disposed of. No costs. Index : Yes / No Speaking Order : Yes / No Neutral Citation : Yes / No TK Page No.3 of 4

C.V.KARTHIKEYAN, J.

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