

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.1083 OF 2012

TAMIL NADU ELECTRICITY BOARD AND ORS. ... APPELLANT(S)

VS.

K.SUBRAMANIAM ... RESPONDENT(S)

WITH

CIVIL APPEAL Nos.1084 and 1085 of 2012

O R D E R

Heard the learned counsel appearing for the parties.

These appeals arise out of disciplinary proceedings initiated by the appellants against the respondents. The Disciplinary Authority imposed penalty of removal from service.

The order of the Disciplinary Authority was subject matter of challenge before the learned Single Judge. It was held by the learned Single Judge that as the respondents have put in more than three decades of service and their record was unblemished, a compulsory retirement, as a major penalty, should be imposed instead of removal. That is how the learned Single Judge converted the penalty of removal from service into compulsory retirement. The view taken by the learned

Single Judge has been affirmed by the Division Bench of the High Court.

We may note here that the orders of the learned Single Judge are of 9th June, 2008. The orders of the Disciplinary Authority of removal from service were of 1998. The impugned order of the Division Bench is of 9th April, 2009. There is no interim relief granted by this Court.

Therefore, considering the long lapse of time, we are of the view that, at this stage, no interference is called for with the orders of the learned Single Judge and the Division Bench.

Accordingly, the appeals are dismissed.

There shall be no order as to costs.

.....J.
(ABHAY S.OKA)

.....J.
(UJJAL BHUYAN)

NEW DELHI;
January 17, 2024.

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Civil Appeal No(s). 1083/2012

TAMIL NADU ELECTRICITY BOARD AND ORS.

Appellant(s)

VERSUS

K.SUBRAMANIAM

Respondent(s)

(IA No. 130959/2018 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES)

WITH C.A. Nos.1084/2012 and 1085/2012

Date : 17-01-2024 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA
HON'BLE MR. JUSTICE UJJAL BHUYAN

For Appellant(s)

Mr. Jaideep Gupta, Sr. Adv.
Mr. D.Kumanan, AOR
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Mr. Sheikh F. Kalia, Adv.
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For Respondent(s)

Mr. Rakesh Kumar Khanna, Sr. Adv.
Mr. V. N. Subramaniam, Adv.
Mr. Aditya Pushkal Khanna, Adv.
Mr. S. Gowthaman, AOR

Mr. V. N. Subramaniam, Adv.
Ms. Anzu. K. Varkey, AOR
Mr. V. N.senthil Kumar, Adv.

Mr. V.N. Subramaniam, Adv.
Ms. Madhusmita Bora, AOR
Mr. V Senthil Kumar, Adv.
Mr. Rohan Prakash, Adv.

UPON hearing the counsel the Court made the following
O R D E R

The appeals are dismissed in terms of the signed
order.

Pending application also stand disposed of.

(ANITA MALHOTRA)
AR-CUM-PS

(AVGV RAMU)
COURT MASTER

(Signed order is placed on the file.)