

W.P.(MD)No.14153 of 2026.

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **09.07.2026**

CORAM

THE HONOURABLE **MR.JUSTICE MUMMINENI SUDHEER KUMAR**

W.P.(MD)No.14153 of 2026
and
W.M.P.(MD)Nos.10567 and 10568 of 2026

S.Sakthivel

... Petitioner

vs.

1.The Chief Engineer/Personnel,
Tamil Nadu Power Distribution Corporation Limited,
8th Floor, NPKRR Maaligai,
144, Anna Salai,
Chennai – 2.

2.The Assistant Executive Engineer/Mech
SD-II/ECHP-I/TTPS,
Tuticorin Thermal Power Station,
Tamil Nadu Power Distribution Corporation Limited,
Tuticorin – 4.

3.The Executive Engineer,
Mechanical Division-I/UdangudiSTPP-I,
Tamil Nadu Power Distribution Corporation Limited,
Tuticorin District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Certiorari, calling for the records pertaining to the impugned proceedings in Memo No.045764/145/G.12/G.121/2025-15 dated 18.02.2026 on the file of the 1st respondent and the



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consequential impugned proceedings in Memo No.AEE/Mech/SD-II/ECHP-I/TTPS/F.Pro/D.40 dated 06.05.2026 on the file of the 2nd respondent and quash the same insofar as the appointment of the petitioner as Assistant Engineer(Mechanical) is concerned.

For Petitioner : Mr.K.Jeyamohan

For Respondents : Mr.S.Arivalagan
Standing Counsel

ORDER

Heard Mr.K.Jeyamohan, learned Counsel for the Petitioner and Mr.S.Arivalagan, learned Standing Counsel for Respondents.

2. This Writ Petition has been filed for issuance of Writ of Certiorari, challenging the impugned proceedings in Memo No. 045764/145/G.12/G.121/2025-15 dated 18.02.2026 on the file of the 1st respondent and the consequential impugned proceedings in Memo No.AEE/Mech/SD-II/ECHP-I/TTPS/F.Pro/D.40 dated 06.05.2026 on the file of the 2nd respondent, insofar as the appointment of the petitioner as Assistant Engineer(Mechanical) is concerned.



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3. The petitioner herein is working as Junior Engineer Grade-II (Mechanical) in the respondent Corporation. The respondent Corporation undertook a recruitment process for the post of Assistant Engineer (Mechanical) and, accordingly, issued proceedings in Memo No. 045764/145/G.12/G.121/2025-15, dated 18.02.2026, selecting and appointing several candidates as Assistant Engineers (Mechanical) at various places, including the petitioner.

4. It is relevant to extract Paragraph No.10 of the said proceedings dated 18.02.2026 as follows:

“10) The selected candidates may be informed that they should join duty within one week from the date of relief in the present post, failing which it will be taken that they are not interested to accept the appointment and further action will be taken to cancel their appointment.”

5. In the light of the above, taking into consideration the place of posting given to the petitioner, the petitioner submitted a representation dated 12.03.2026 relinquishing the said appointment. While so,

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notwithstanding the said relinquishment letter dated 12.03.2026, the 2nd respondent issued the impugned proceedings in Memo No.AEE/Mech/SD-II/ECHP-1/TTPS/F.Pro/D.40, dated 06.05.2026, relieving the petitioner from his duties in Subdivision II, External Coal Handling Plant-1, Tuticorin Thermal Power Station, Tuticorin, and directing him to report for duty before the 3rd respondent. Aggrieved by the said proceedings dated 06.05.2026, the petitioner has approached this Court by filing the present Writ Petition.

6. When the matter came up for consideration on an earlier occasion, it was brought to the notice of this Court by the learned Counsel for the petitioner that persons who are identically placed to the petitioner and who were also appointed as Assistant Engineers through the proceedings dated 18.02.2026, namely, I.Jebaselvan and A.Mariappan, were permitted to relinquish the said promotion and were re-posted as Junior Engineers (Mechanical) Grade II vide memo dated 17.06.2026.



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7. This Court, having taken note of the said Memo and being satisfied that the said two persons were also appointed as Assistant Engineers on 18.02.2026 along with the petitioner and were permitted to relinquish the promotion and continue as Junior Engineers, directed Mr.S.Arivalagan, learned Standing Counsel for the respondents, to obtain instructions in this regard.

8. Today, when the matter is taken up for consideration, Mr.S.Arivalagan, learned Standing Counsel for the respondents, fairly submitted that the said two persons were placed in circumstances similar to those of the petitioner and were permitted to relinquish their promotion and continue as Junior Engineers. However, he contended that one Mr.S.Sivakumar, Junior Engineer (Mechanical) Grade II, had been transferred from MTPS-I and re-posted to ECHP-I in the place of the petitioner, and that he joined duty at Tuticorin Thermal Power Station on 15.05.2026. Therefore, it is not possible to accommodate the petitioner at the same place of posting.



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9. I have carefully considered the submissions of both sides and I have gone through the materials available on record.

10. First of all, the respondents, having issued the Memo dated 18.02.2026 appointing the petitioner and others as Assistant Engineers, specifically stipulated in paragraph 10 of the said proceedings that, in case the selected candidates failed to join duty within one week from the date of relief from their present posts, it would be taken that they were not interested in accepting the appointment and that further action would be taken to cancel their appointments.

11. In the instant case, immediately after the said Memo dated 18.02.2026 was issued, the petitioner submitted a letter relinquishing his appointment as Assistant Engineer (Mechanical). In view of the same, and by operation of paragraph 10 of the Memo dated 18.02.2026, the appointment of the petitioner as Assistant Engineer (Mechanical) stood cancelled. Once the appointment of the petitioner stood cancelled by operation of the Memo dated 18.02.2026, the question of relieving the



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petitioner from the post in which he was working as on 18.02.2026 does not arise.

12. However, notwithstanding the cancellation of the petitioner's appointment, the 2nd respondent erroneously relieved the petitioner from his post on 06.05.2026, that is, after a lapse of nearly two months from the date on which the appointment stood cancelled.

13. Further, the respondents, having permitted the two other persons named above to relinquish their appointments to the post of Assistant Engineer, failed to extend similar treatment to the petitioner. Consequently, the petitioner has been treated differently in violation of Articles 14 and 16 of the Constitution of India.

14. In the circumstances, the impugned proceedings relieving the petitioner from the post of Junior Engineer Grade II (Mechanical), Subdivision II, External Coal Handling Plant-1, Tuticorin Thermal Power Station, are liable to be declared as highly arbitrary, illegal, and violative of Articles 14, 16, and 21 of the Constitution of India.



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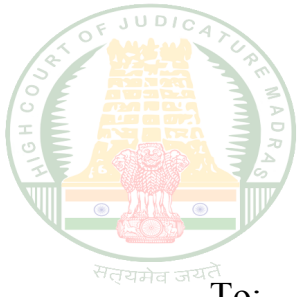
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15. Accordingly, the impugned proceedings in Memo No.AEE/Mech/SD-II/ECHP-1/TTPS/F.Pro/D.40, dated 06.05.2026, are hereby **quashed**, and the 1st respondent is directed to take all necessary steps to restore the petitioner to the said post from which he was relieved under the impugned proceedings, as expeditiously as possible, and, in any event, within a period of **one week** from the date of receipt of a copy of this order.

16. In view of the above, this Writ Petition is **allowed**. There shall be no order as to costs. Consequently, the connected miscellaneous petitions are closed.

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Index :Yes / No
Internet :Yes / No
NCC :Yes / No
Nsr



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MUMMINENI SUDHEER KUMAR, J.

Nsr

Order made in
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