

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 27.10.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.33827/2015

A.Arun

... Petitioner

Vs

1. The Chairman
Tamilnadu Electricity Generation &
Distribution Corporation, No.144,
Anna Salai, Chennai 600 002.
 2. The Chief Engineer [Personnel]
Tamil Nadu Electricity Generation &
Distribution Corporation, No.144,
Anna Salai, Chennai 600 002.
 3. The Superintending Engineer
Tamil Nadu Electricity Generation &
Distribution Corporation, Namakkal
Electricity Distribution Circle
Namakkal 637 001.
- ... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the respondents to consider the representation of the petitioner dated 10.09.2015 for appointment to the post of Junior Assistant by internal selection from the present position of Assessor Grade II, on its merits and in accordance with law.

For Petitioner : Mr.Balan Haridas

For Respondents : Mr.P.R.Dhilip Kumar

ORDER

By consent, the writ petition is taken up for final disposal.

2. The petitioner would state that his father, namely, [Late] A.Anbazhagan, was working as Wireman in Namakkal Electricity Generation and Distribution Circle and he died in harness on 10.02.2012. The petitioner, after completing his B.Com., degree, was given appointment on compassionate ground as Assessor Grade II Trainee on 08.07.2014 and he was placed under training for a period of six months on consolidated pay of Rs.7300/- per month and after successful completion of training, he was regularly appointed to the post of Assessor Grade II and at present, he is working in that capacity in Moorpalayam [O&M] section, Tiruchengode Division, Namakkal Electricity Distribution Circle. It is further stated that the 1st respondent/Board, vide letter dated 28.05.2015, has called for applications for filling up the post of Junior Assistant [Accounts] through internal selection. Though the petitioner possesses B.Com., degree, he could not apply for the same as it has been indicated in the said communication that the Assessor/Assessor Grade II are not eligible for internal selection. The grievance now expressed by the petitioner is that he is the only internal candidate with B.Com degree and though the respondent/Board has issued amendment to Regulation 94 of the Tamil Nadu Electricity Board Service Regulations on 24.05.2014 to the effect that the appointment to the post of Junior Assistant [Accounts] by way of direct recruitment/internal selection can be considered from those who possesses B.A., B.Sc., B.Com or any Degree obtained from any University, the claim of the petitioner has been unjustly overlooked and in this regard, he has submitted a representation dated 10.09.2015 to the respondents 2 and 3 and since no orders have been passed, he came forward to file this writ petition.

3. Heard the learned counsel for the petitioner and Mr.P.R.Dhilipkumar, learned Standing counsel who accepts notice on behalf of the respondents.

4. Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the same, directs the 2nd respondent to consider and dispose of the petitioner's representation dated 10.09.2015 on merits and in accordance with law and pass orders within a period of eight

weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

5. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

AP

To

1. The Chairman
Tamilnadu Electricity Generation &
Distribution Corporation, No.144,
Anna Salai, Chennai 600 002.
2. The Chief Engineer [Personnel]
Tamil Nadu Electricity Generation &
Distribution Corporation, No.144,
Anna Salai, Chennai 600 002.
3. The Superintending Engineer
Tamil Nadu Electricity Generation &
Distribution Corporation, Namakkal
Electricity Distribution Circle
Namakkal 637 001.

+1cc to Mr.Balan Haridas, Advocate, S.R.No.58373

+1cc to Mr.P.R.Dhilip Kumar, Advocate, S.R.No.57983

W.P.No.33827 of 2015

KK(CO)
CA(16/11/2015)

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