

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06-11-2017

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.33895 of 2013

And

M.P.1 of 2013

1.Murukesan

2.C.Vijayananth

3.P.Mathimugilan

.. Petitioners

-vs-

1.Tamil Nadu Electricity Board
Represented by its Chairman,
144, Anna Salai,
Chennai-600 002.

2.Tamil Nadu Generation and Distribution
Corporation Ltd., Represented by its
Managing Director,
Head Quarters Complex,
Administrative Branch,
144, Anna Salai,
Chennai-600 002.

.. Respondents

Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the Official respondents to permit the writ petitioners to register their name in the Register and participate in the interview scheduled on 13th December 2013 for the purpose of selection of eligible Diploma Apprentices for the post of Technical Assistant/Electrical as the petitioners have successfully completed their apprentice training and consider the petitioners for regular appointment in any of the existing or immediate future vacancies in the post of Technical Assistant/ Electrical on the basis of their Apprenticeship Training and appoint the writ petitioners in preference to other eligible candidates.

For Petitioner - Mrs.Selvi George

For Respondents - Mrs.R.Varalakshmi,
Standing Counsel for TNEB.

ORDER

The relief sought for in this writ petition is for a direction to direct the Official respondents to consider the petitioners for regular appointment in any of the existing or

immediate future vacancies in the post of Technical Assistant/Electrical on the basis of their Apprenticeship Training.

2. This Court is of the view that a mere completion of the Apprenticeship Training, will not confer any right on the candidates to seek appointment. So also the appointment can never be claimed as a matter of right. Persons eligible have to undergo the process of selection for securing any public appointment. A mere completion of Apprenticeship Training alone will not confer any right. However, the employers are granting preference to the candidates, who have undergone Apprenticeship Training in their respective Organisations.

3. In this regard, this Court is of the opinion that the writ petitioners have completed their Apprenticeship Training with the respondent-Board. It is for the respondents to conduct the process of recruitment in accordance with the Service Rules in force. No appointment can be made in violation of the recruitment against the Rules in force and the Constitution of India requires that all public employments to be provided under the Constitutional Schemes by granting equal opportunity to all the eligible citizen of this Great Nation.

4. Under these circumstances, this Court is of the opinion that the respondents may consider the claim of the writ petitioners in accordance with the Rules. Accordingly, the second respondent is directed to consider the representation submitted by the writ petitioners on 12.9.2013 and pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. The writ petitioners are directed to enclose the copy of the representation with all other related documents along with the order passed in this writ petition.

5. Accordingly, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

// True Copy//

Sub Assistant Registrar

Svn

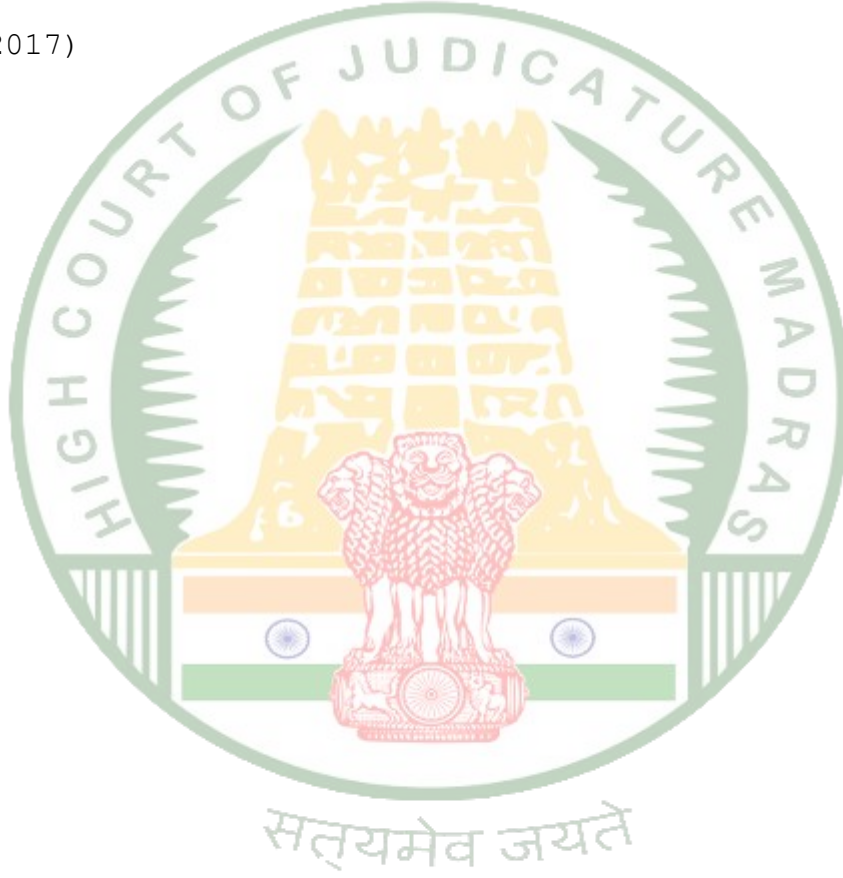
To

1.The Chairman,
Tamil Nadu Electricity Board
144, Anna Salai,
Chennai-600 002.

2.The Managing Director,
Tamil Nadu Generation and Distribution Corporation Ltd.,
Head Quarters Complex,
Administrative Branch,
144, Anna Salai,
Chennai-600 002.

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