

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.11.2017

CORAM

THE HON'BLE Mr. JUSTICE S.M.SUBRAMANIAM

W.P.No.26137 of 2009

Mp no 1/2009

S.Rajthilak

... Petitioner

Vs

1.Tamilnadu Electricity Board,
Rep. by its Chairman,
No.800, Anna Salai,
Chennai 600 002.

2.The Chief Engineer (Personnel)
Tamilnadu Electricity Board,
No.144, Anna Salai,
Chennai 600 002.

3.The State of Tamilnadu
rep by its Secretary to Government,
Energy Department, Fort St. George,
Chennai 600 009.

.... Respondents

PRAYER: Writ Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus, directing the 1st respondent to consider the claims of the petitioner for appointment to the post of Technical Assistant from among the Trainee Apprentices based on the seniority of the Trainee Apprentices on a preferential basis as long as such trainee apprentices have the requisite D.E.E.E. Qualification after following the selection process set out in the Service Regulations of the 1st respondent in the light of the order of the High Court dated 14.09.2009 in W.P.Nos.24317 of 2008, 24318 of 2008, 3033 of 2009 and etc.

For Petitioner : Mr.G.Elanchezhiyan

For RR1 & 2 : No Appearance

For R3 : Mr.K.Thangapandi
Government Advocate

O R D E R

The relief sought for in this Writ Petition is for a direction to direct the 1st respondent to appoint the petitioner to the post of Technical Assistant based on the Apprenticeship training undergone by him on preferential basis.

2.The learned counsel appearing on behalf of the writ petitioner states that the writ petitioner, after completing his Diploma in Electrical and Electronics Engineering, undergone Apprenticeship training with the 1st Respondent Board. Accordingly, the petitioner claims priority for appointment in the post of Technical Assistant.

3.However, the learned counsel appearing on behalf of the third respondent informed this Court that the rules relating to the recruitment for the post of Technical Assistant underwent many changes and the Board has to consider the eligibility and other criteria in accordance with the rules whenever the process of recruitment is undergone.

4.None appeared for the respondents 1 and 2.

5.Under these circumstances, this Court is of the opinion that in respect of the qualification and the procedures of recruitment, the employer has to consider the same. In this view of the matter, this Court is not inclined to consider the merits of the case at this point of time. Thus, the second respondent is directed to consider the representation submitted by the writ petitioner on 19.11.2009 and pass orders on merits and in accordance with law within a period of 12 weeks from the date of receipt of a copy of this order. The writ petitioner is directed to enclose the copy of the representation and the documents along with the order passed in this Writ Petition.

6.Accordingly, this Writ Petition stands disposed of. However, there is order as to costs. Connected miscellaneous petitions closed.

Sd/-

Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

gsa

To

- 1.The Chairman
Tamilnadu Electricity Board,
No.800, Anna Salai,
Chennai 600 002.
- 2.The Chief Engineer (Personnel)
Tamilnadu Electricity Board,
No.144, Anna Salai,
Chennai 600 002.

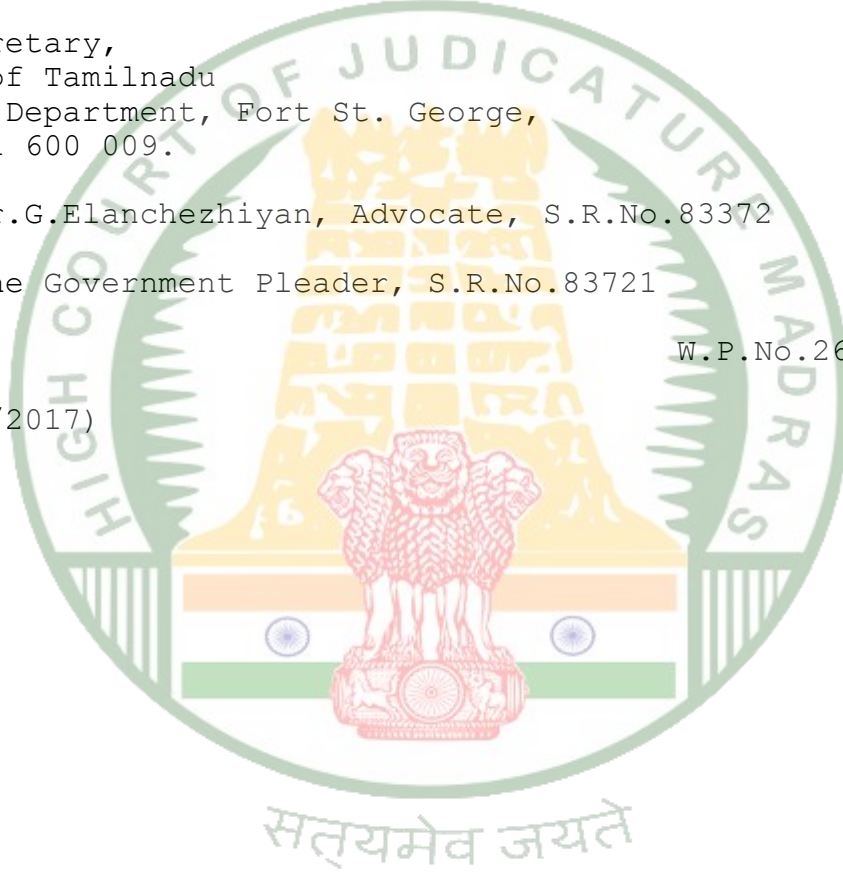
- 3.The Secretary,
State of Tamilnadu
Energy Department, Fort St. George,
Chennai 600 009.

+1cc to Mr.G.Elanchezhian, Advocate, S.R.No.83372

+1cc to the Government Pleader, S.R.No.83721

W.P.No.26137 of 2009

RRK(12/12/2017)



WEB COPY