

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.12.2018

CORAM:

THE HON'BLE MR.JUSTICE S.MANIKUMAR
AND
THE HON'BLE MR.JUSTICE SUBRAMONIUM PRASAD

W.A.No.2811 of 2018
and C.M.P.No.23358 of 2018

T.Arun

... Appellant

Vs.

1. The Chairman,
Tamil Nadu Electricity Board,
Tamil Nadu Generation and Electricity
Distribution Corporation Ltd.,
Anna Salai,
Chennai - 600 002.

2. The Chief Engineer (Personal),
Tamil Nadu Electricity Board,
Tamil Nadu Generation and
Distribution Corporation Ltd.,
Anna Salai,
Chennai - 600 002.

... Respondents

Writ Appeal filed under Clause 15 of the Letters Patent against the Order
dated 18.01.2018 made in W.P.No.1012 of 2018.

For Appellant : Mr.C.Prakasam

For Respondents : Mr.S.Santhanakrishnan
Standing counsel

J U D G E M E N T

(Order of the Court was delivered by S.MANIKUMAR, J)

Claiming himself to be an ex-serviceman, appellant seemed to have applied for the post of Technical Assistant in Tamil Nadu Electricity Board in the year 2016.

2. Contending inter alia that respondents have not provided 5% reservation, for ex-servicemen, in the vacancies notified for the post of Technical Assistants / Electrical (EEE), appellant has filed W.P.No.1012 of 2018 for a writ of mandamus directing the respondents therein to fill up the vacancies for the post of Technical Assistant / Electrical (EEE) by implementing 5% reservation for the Ex-servicemen quota.

3. Writ petition has been filed in the year 2018. By observing that before filing a writ of mandamus, appellant ought to have made a representation to the respondents and only if it remained unanswered, writ petition would be maintainable and also taking note of the fact that writ petition was filed after 1 1/2 years from the date of notification, writ Court, by order dated 18.01.2018 in W.P.No.1012 of 2018, dismissed the same. Being aggrieved instant appeal is filed.

4. On 19.12.2018, when the delay excuse petition came up for hearing, representing the respondents Mr.S.Santhana Krishnan, learned counsel submitted that while filling up the vacancies in the post of Technical Assistants / Electrical (EEE), respondents have given 5% reservation for ex-servicemen. He further submitted that due to pendency of the writ petition filed by Velai Illa Pattadarigal Sangam, results are yet to be notified.

5. Inasmuch as 5% reservation has been provided for ex-servicemen, in the abovesaid vacancies, notified by the respondents, prayer sought for is answered. Hence, there is no need to advert to the correctness of the order of the writ Court. Writ Appeal is disposed of. No Costs. Consequently, the connected Civil Miscellaneous Petition is disposed of.

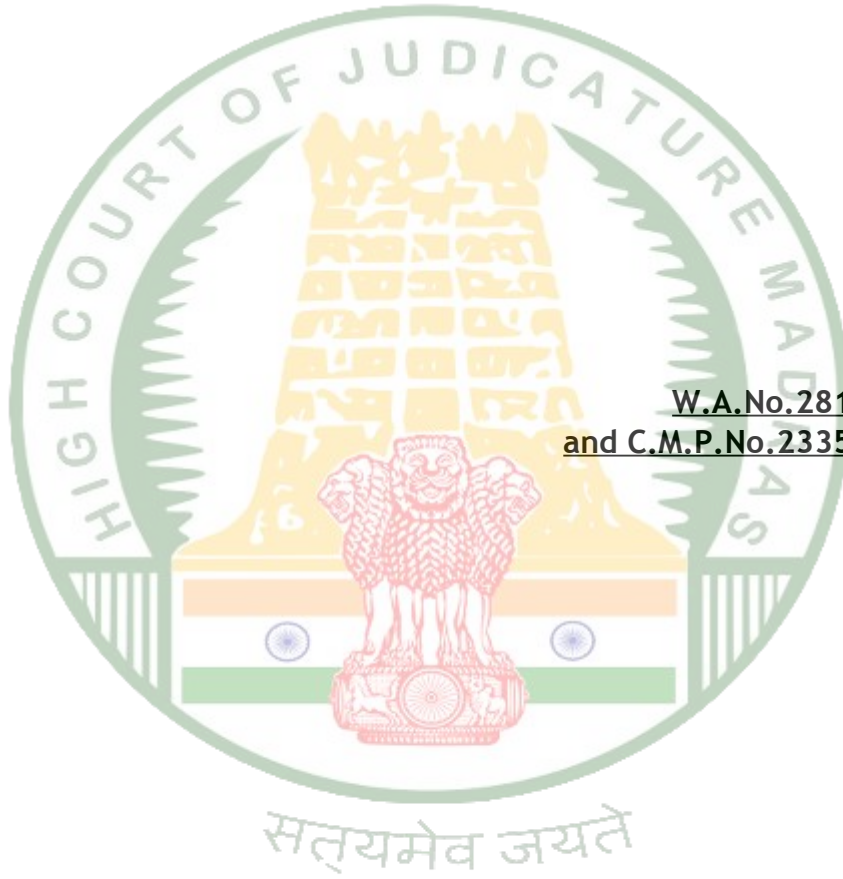
[S.M.K., J.] [S.P., J.]
20.12.2018

Index : Yes/No.
Internet : Yes
Speaking/Non-speaking order
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S. MANIKUMAR, J.
AND
SUBRAMONIUM PRASAD, J.

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