

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.10.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.18867 of 2019

D.Thennarasu

... Petitioner

Vs.

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

2.Tamil Nadu Generation & Distribution
Corporation
Rep. by the Chairman/Managing Director
Head Quarters Complex,
No.144, Anna Salai
Chennai-600 002.

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents to follow the procedure followed by them in internal selection for selecting external selection also and to prepare a list for the eligible candidates as done in the internal selection and recognize their names for first preference at the time of arising vacancies in future.

For Petitioner : Mr.A.Lakshmi Narasimhan

For Respondents : Mr.P.R.Dilipkumar

O R D E R

Writ Petition is filed for issuance of a Writ of Mandamus, to direct the respondents to follow the procedure followed by them in internal selection for selecting external selection also and to prepare a list for the eligible candidates as done in the internal selection and recognize their names for first preference at the time of arising vacancies in future.

2. Heard the learned counsel for the petitioner and the learned counsel appearing for the respondents. By consent of both sides, the writ petition is taken up for final disposal at the admission stage itself.

3.The case of the petitioner is that the petitioner has completed his B.E major in Electrical and Electronics on 11.08.2006 and he applied for apprenticeship training which called for by the 2nd respondent and completed his apprenticeship and obtained his Apprenticeship Certificate on 22.02.2010 for the period from 26.11.2008 to 25.11.2009. Thereafter, the 2nd respondent published vacancies for direct recruitment for the post of Assistant Engineer during the year 2011-2012, and 2013-2014. Though the petitioner obtained good rank in overall position, he was unable to get the job. In both the examination, the petitioner has lost his job opportunity for want of 1.26 cut off marks in the year 2011-2012 and 0.99 cut off marks in 2013-2014. In the meantime, the entire procedure was changed and thereafter, the sponsorship through Tamil Nadu Employment Exchange and Board of Apprenticeship Training was prevented by directing all recruiters to write the written examination and interview as directed by this Court in W.P No.26162 of 2010 by order dated 02.08.2012 and the same was upheld by this Court in W.A No.1026 and 1027 of 2013. Thereafter, the 2nd respondent again announced the vacancies for the post of Assistant Engineer in which he appeared and neglected to participate in the interview since he obtained below cut off marks as specified. The policy of the 1st respondent with regard to the post of Assistant Engineer which splits as 1:1 for direct recruitment and internal selection and the 2nd respondent wantonly suppressed the said vacancies before the public and they filled the post by recruiting their employees. The 2nd respondent are not following the procedure mentioned above and did not prepare any seniority list for filling the vacancies in the direct recruitment. Hence, the petitioner has filed this writ petition to direct the respondents to follow the procedure followed by them in internal selection for selecting external selection also and to prepare a list for the eligible candidates as done in the internal selection and recognize their names for first preference at the time of arising vacancies in future.

4. The learned counsel appearing for the respondents would submit that the respondents may consider the request made by the petitioner to follow the procedure followed by them in internal selection for selecting external selection as contemplated in the Electricity Board Rules.

5. In view of the above, I am inclined to issue a direction to the respondents to follow the procedure followed by them in internal selection for selecting external selection as contemplated in the Electricity Board Rules and proceed further in accordance with law.

6.With the above direction, the writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

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To

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

2.The Chairman/Managing Director
Tamil Nadu Generation & Distribution Corporation,
Head Quarters Complex,
No.144, Anna Salai
Chennai-600 002.

+1cc to Mr.A.Lakshmi Narasimhan, Advocate Sr.87668

+1cc to Mr.P.R.Dhilip Kumar, Advocate Sr.87928

W.P.No.18867 of 2019

srg 19/11/2019

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