

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :01.10.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.28752 of 2019
and W.M.P.Nos.28502 and 28503 of 2019

1.T.Anandhan
2.D.Gnanasekar
3.V.Prabhu
4.C.Rethinavel
5.S.Kodeeswaran
6.T.Murugesan
7.P.Makudeeswaran
8.M.Prakash
9.P.Dineshkumar
10.M.Dineshkumar

..Petitioners

vs

1.The Managing Director
Tamil Nadu Generation and Distribution
Corporation (TANGEDCO)
Chennai.

2.The Chief Engineer/Personal
Tamil Nadu Generation and Distribution
Corporation (TANGEDCO), Chennai.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to reopen and to permit the petitioners in official website portal from 30.09.2019 to 04.10.2019 for registering purpose and consequently directing the respondents to appoint them as Gangman vide notification issued by the respondent in Notification No.1/2019 dated 07.03.2019 for the post of GANGMAN (TRAINEES) on the basis of the representation dated 09.09.2019.

For Petitioners : Mr.Chandrakumar for Mr.M.Dinesh
For Respondents : Ms.M.Devi Rudra (TANGEDCO)

O R D E R

Writ Petition is filed for issuance of Writ of Mandamus directing the respondents to reopen and to permit the petitioners in official website portal from 30.09.2019 to 04.10.2019 for registering purpose and consequently directing the respondents to appoint them as Gangman vide notification issued by the respondent in Notification No.1/2019 dated 07.03.2019 for the post of GANGMAN (TRAINEES) on the basis of the representation dated 09.09.2019.

2.Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents. By consent, the writ petition is taken up for final disposal.

3.The case of the petitioners is that the petitioners were appointed under the respondents as contractual labours in TANGEDCO Department. They were all working since 2004 onwards, earlier the said TANGEDCO is called as TNEB, subsequently, it was changed as TANGEDCO from 2003 onwards. The petitioners are members of Tamil Nadu Electricity Board Contract Labour Union. While so, the respondents issued Notification No.1/2019, dated 07.03.2019 calling for the post of Gangman through official website portal from 30.09.2019 to 04.10.2019 and the said online application was closed on 24.04.2019. Again it was reopened on 01.06.2019 and closed on 19.06.2019. The petitioners' Association made dharna in front of the Tamil Nadu Electricity Board on the ground that the petitioners were not considered for the said post, though they served more than a decade and allow them to participate in the selection process. In this regard, the petitioners and other Union members sent representation dated 09.09.2019 to the Department seeking the relief as stated above.

4.The learned counsel for the petitioners submitted that though the prayer in the writ petition is larger one, however, it would suffice, if this Court issues direction to the respondents to consider the petitioners' representation dated 09.09.2019 and pass appropriate orders within reasonable time.

5.Learned Standing Counsel appearing for the respondents submitted that the very same notification is challenged before the Division Bench of this Court and the

same is pending. However, the petitioners without challenging the said notification, filed this writ petition directing the respondents to reopen the official website portal from 30.09.2019 to 04.10.2019 and consequently, to appoint the petitioners as Gangman and the same cannot be considered in the writ petition. However, this Court may issue a direction to the respondents to consider the representation of the petitioners, the same will be considered and appropriate orders will be passed.

6. Considering the facts and circumstances of the case along with the submissions made by both sides, this Court hereby directs the 2nd respondent to consider the petitioners' representation dated 09.09.2019 and pass appropriate orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

7. The writ petition is accordingly disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(Cj conf)

//True Copy//

Sub Assistant Registrar

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To

1. The Managing Director
Tamil Nadu Generation and Distribution
Corporation (TANGEDCO)
Chennai.

2. The Chief Engineer/Personal
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A.SK(05/11/2019)