



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.08.2019

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.3843 of 2014

and

M.P. (MD) .Nos.1 to 3 of 2014

M.Prabakaran

.. Petitioner

Vs.

1.The Chairman and Managing Director,
The Tamil Nadu Generation and Distribution
Corporation Limited, (TANGEDCO)
800, Anna Salai,
Chennai-2.

2.The Director of Technical Education,
Tamil Nadu
Guindy,
Chennai.

... Respondents

PRAYER: Writ Petitions under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned selection list for the post of Technical Assistant (EEE) published by the respondent corporation on 24.02.2014 on the file of the first respondent and quash the same and consequently, direct the first respondent Board to conduct recruitment afresh for the post of Technical Assistant (EEE).

For Petitioner : Mr.B.Jameel Arasu

For R1 : Mr.G.Kasinathadurai

For R2 : Mr.K.Mu.Muthu
Additional Government Pleader

ORDER

As far as the present writ petition is concerned, the learned counsel for the writ petitioner states that the procedure adopted for ascertaining the First Class Marks in the Diploma Course by the Board was irregular. Different yardsticks are adopted, which is improper.

<https://hcservices.ecourts.gov.in/hcservices/>

2.In respect of this writ petitioner is concerned, the First



Class Marks is to be ascertained with reference to the marks scored in III and IV semester. Contrarily, they have assessed uniformly in respect of pre and post 2003 diploma holders. As per the learned counsel for the writ petitioner, pre diploma holders 2003 as well as the post 2003 diploma holders are to be dealt separately. However, the fact remains that the terms and conditions stipulated in the notification in this regard were not challenged, during the appropriate time and the writ petitioner also had participated in the process of selection and the selected candidates were not impleaded as parties in the writ petition nor their appointment are under challenged in this writ petition.

3. However, the persons, who have participated in the selection now cannot challenge the terms and conditions stipulated in the Recruitment Notification if at all any other grievance exists in respect of any illegal appointment, it is left open to the writ petitioner to challenge any such illegal appointment in the manner known to law. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Chairman and Managing Director,
The Tamil Nadu Generation and Distribution
Corporation Limited, (TANGEDCO)
800, Anna Salai,
Chennai-2.

2. The Director of Technical Education,
Tamil Nadu
Guindy, Chennai.

+1 CC to M/s.B.JAMEELARASU, Advocate (SR-81712[F] dated
14/08/2019)

+1 CC to M/s.SPL GP (SR-81774[F] dated 14/08/2019)

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