



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD)Nos.428, 441 and 442 of 2014

and

M.P. (MD)Nos.1, 2, 1, 2, 1 and 2 of 2014

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Manivel	...	Petitioner in W.P.(MD)No.428 of 2014
Maruthamuthu	...	Petitioner in W.P.(MD)No.441 of 2014
Siva Shanmugam	...	Petitioner in W.P.(MD)No.442 of 2014

-Vs-

- 1.Tamil Nadu Generation and Distribution Corporation Limited, Chennai.
Represented by the Chairman / Managing Director,
Tamil Nadu Generation and Distribution Corporation Limited,
No.144, Annasalai, Chennai.
 - 2.The Director,
Administrative Branch,
Tamil Nadu Generation and Distribution Corporation Limited,
No.144, Annasalai, Chennai.
 - 3.The Chief Engineer / Distribution,
Trichy Region, Tamil Nadu Generation and Distribution Corporation Limited,
Thennur, Trichy-20.
 - 4.The Assistant Director,
District employment Office, Karur.
- ... Respondents
in all Writ Petitions

COMMON PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the impugned advertisement issued by the first respondent in DIPR/628/display/2013 dated 30.05.2013 and quash the same as illegal and directing the first and second respondents to conduct the selection of Diploma Engineers on the basis of the Employment seniority.

For Petitioner	:	Mr.S.Muthukrishnan (in all Writ Petitions)
For R1 to R3 (in all Writ Petitions)	:	Mr.S.Dhayalan, Government Advocate.
For R4 (in all Writ Petitions)	:	Mr.M.Jeyakumar, Additional Government Pleader.



COMMON ORDER

The recruitment notification dated 30.05.2013 for appointment to the post of Technical Assistant (Electrical / Mechanical), is under challenge in the present Writ Petitions.

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2.The learned counsel appearing on behalf of the writ petitioners made a submission that the respondents were appointing the candidates based on the apprenticeship training conducted under the Apprenticeship Act. Preference was given to the persons, who have apprenticeship with the Electricity Board. However, the said procedure was stopped by the Board and open competitive process was introduced. Thus, the writ petitioners are constrained to move the present Writ Petitions.

3.Apprenticeship training is provided based on the apprenticeship made by the Director of Apprenticeship under the Apprenticeship Act, which is a Central Act. Mere completion of apprenticeship training would not confer any right on the candidates to seek appointment in the board organization or Board. Apprenticeship training is provided, enabling the candidates to get experience and there is no guarantee for any appointment.

4.This apart, change of recruitment also is the administrative prerogative of the employer. Once a policy of the recruitment has been changed and open competitive process has been introduced under the Constitutional schemes, this Court do not find any fault in the change of system and the open competitive process is an appropriate system and all the eligible persons have to participate in the open competitive process and secure employment on merits and in accordance with law.

5.Thus, the writ petitioners cannot claim appointment based on the apprenticeship training undergone by them with the Tamil Nadu Electricity Board. In view of the fact that the policy of the recruitment itself underwent changes, the writ petitioners cannot question such policy and they are only the aspiring candidates and they have to participate in the open competitive process, if any recruitment is issued. Thus, these Writ Petitions are devoid of merits and the same stand dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)



To

1. The Chairman / Managing Director,
Tamil Nadu Generation and Distribution
Corporation Limited, Chennai.
Tamil Nadu Generation and Distribution
Corporation Limited,
No.144, Annasalai, Chennai.
 - 2.The Director,
Administrative Branch,
Tamil Nadu Generation and Distribution
Corporation Limited,
No.144, Annasalai, Chennai.
 - 3.The Chief Engineer / Distribution,
Trichy Region, Tamil Nadu Generation and
Distribution Corporation Limited,
Thennur, Trichy-20.
 - 4.The Assistant Director,
District employment Office, Karur.
- +1 CC to SPL.G.P. SR.No. 81122.
+1 CC TO Mr.s.MUTHUKRISHNAN, ADVOCATE IN SR No.82362.

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