

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.09.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.26379 of 2011  
and M.P.No.1 of 2011

M.S.Haribabu

... Petitioner

vs.

1. The Chairman,  
Tamil Nadu Electricity Board,  
No.800, Anna Salai,  
Chennai - 600 002.
  2. The Chief Engineer (Establishment),  
Tamil Nadu Electricity Board,  
No.800, Anna Salai,  
Chennai - 600 002.
  3. The Superintending Engineer,  
Tamil Nadu Electricity Board,  
Electricity Distribution Circle,  
Tirupathur, Vellore.
- .... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Certiorarified Mandamus to call for the entire records leading to Impugned proceedings bearing No.Ka.No.03131/Nee.Pee2/Nee Ooul/Ko.O.Tho/2008, dated 28.04.2008 passed by the 3<sup>rd</sup> Respondent and consequential order in Letter No.016242/115/G58/G581/2010-3, dated 24.07.2010 passed by the 2<sup>nd</sup> Respondent and quash the same and direct the Respondents to absorb the Petitioner in the Respondent board.

For Petitioner : Ms.Usha Raman

For Respondents: Mr.Anand Gopalan

O R D E R

Petitioner has come up with the present Writ Petition challenging the impugned order dated 28.04.2008 passed by the 3<sup>rd</sup> Respondent vide No.Ka.No.03131/Nee.Pee2/Nee Ooul/Ko.O.Tho/2008,

and the consequential order dated 24.07.2010 passed by the 2<sup>nd</sup> Respondent vide Letter No.016242/115/G58/G581/2010-3, and for a consequential direction to the Respondents to absorb him in the Respondent/Electricity Board.

2. Heard the learned counsel on either side and perused the material documents available on record.

3. This Court is of the view that, the Petitioner cannot seek for absorption/regularization in the Respondent/Electricity Board by way of the present Writ Petition, even though he has stated that, he was in a Contract. Further, this Court cannot go into the question as to whether the Contract involving the Petitioner in the Respondent/Electricity Board, is a genuine one or sham or nominal, or a camouflage contract and that, the Petitioner will have to work out his remedy before the appropriate forum.

Hence, this Writ Petition is dismissed with liberty to the Petitioner to seek his remedy before the appropriate forum. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-  
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

(aeb/jas)

To:

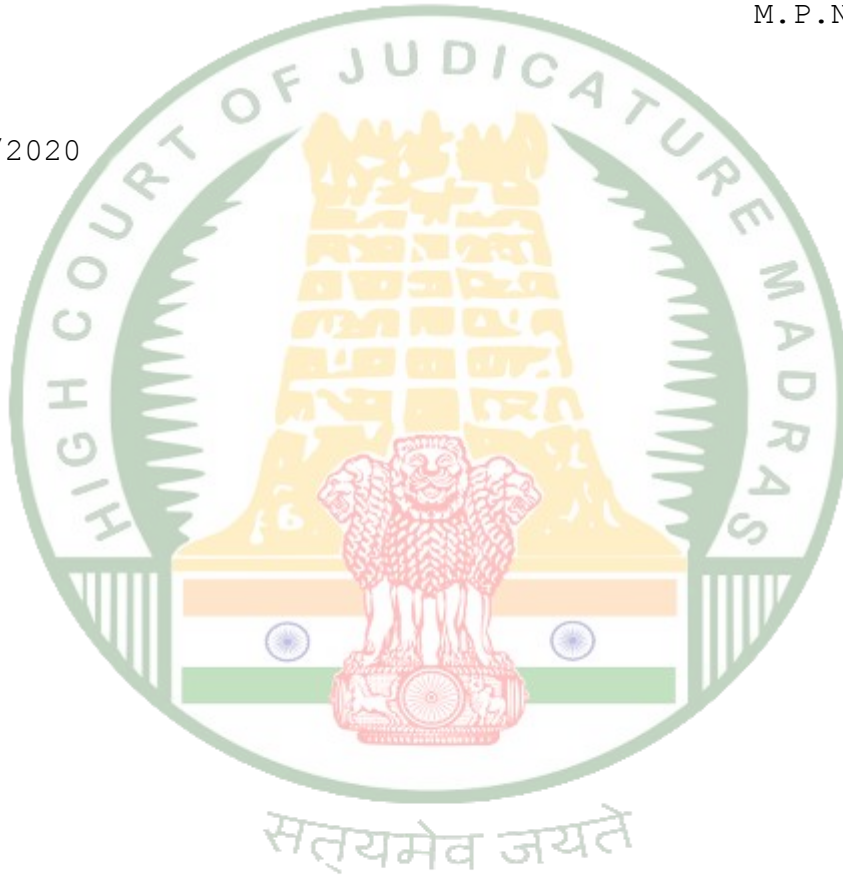
1. The Chairman,  
Tamil Nadu Electricity Board,  
No.800, Anna Salai,  
Chennai - 600 002.
2. The Chief Engineer (Establishment),  
Tamil Nadu Electricity Board,  
No.800, Anna Salai,  
Chennai - 600 002.

3. The Superintending Engineer,  
Tamil Nadu Electricity Board,  
Electricity Distribution Circle,  
Tirupathur, Vellore.

+1cc to M/s.T.S.Gopalan & Co., Advocate Sr.31528

W.P.No.26379 of 2011  
and  
M.P.No.1 of 2011

mp[co]  
srg 05/11/2020



WEB COPY