

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 06.08.2020

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P. No. 33846 of 2013
and
M.P.Nos.1 & 2 of 2013

Murugan

.. Petitioner

- Vs -

1. The Chief Engineer (Personnel)
Tamil Nadu Generation and Distribution
Corporation Ltd, (TNEB)
NO.144, Annasalai,
Chennai 2.
2. The Superintending Engineer,
Tamil Nadu Generation and Distribution
Corporation Ltd, (TNEB)
Villupuram District
3. The District Employment Officer,
Villupuram District.
4. The Employment Exchange Officer,
Coordinated Employment Office,
Alandur Road, Tiru.Vi.Ka Industrial Estate,
Guindy, Chennai 32.

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of Mandamus, directing the 4th respondent to sponsor the name of the petitioner for appointment to the post of Technical Assistant (Electrical) in the first respondent Board based on his employment exchange seniority and further direct the 1st respondent to issue a call letter to enable the petitioner to attend the interview at the 2nd respondent office and select and appoint him as Technical Assistant (Electrical).

For Petitioner : Mr.K.Venkatramani, Sr.C for
M/S. M. Muthappan

For Respondents: Mr.Karthik Rajan for RR1 &2
: Mr.A.N.Thambidurai, Spl. G.P. For RR3 & 4

ORDER

This writ petition has been filed by the petitioner to direct the 4th respondent to sponsor the name of the petitioner for appointment to the post of Technical Assistant (Electrical) in the first respondent Board based on his employment exchange seniority and further direct the 1st respondent to issue a call letter to enable the petitioner to attend the interview at the 2nd respondent office and select and appoint him as Technical Assistant (Electrical).

2. The case of the petitioner is that the petitioner belongs to the SC community, and he passed SSLC in the year 1995 and registered his name in the Employment Exchange at Villupuram District on 23.06.1995 and thereafter completed Diploma in / Electrical and Electronics Engineering in October 2001 and again registered his qualification in the employment exchange. In the year 2004, he completed the periodical apprentice training from 16.06.2003 to 15.06.2004 and also registered the same in the employment exchange. In the meanwhile, the first respondent published advertisement for the post of Technical Assistant (Electrical) and the appointment to be made based on employment exchange seniority. Though the petitioner registered all his qualifications properly, the District Employment Officer has not sponsored his name for consideration and, hence, the petitioner made a representation on 03.12.2013 to the 3rd respondent for sponsoring his name for appointment to the post of Technical Assistant (Electrical), however, the fourth respondent has not forwarded the name to the first respondent for interview. Hence this writ petition.

3. Learned counsel appearing for petitioner submitted that though the respondent has filed a counter affidavit stating that on receipt of the list from the 3rd respondent the 4th respondent generated the list and the name of the petitioner is reflected in serial No.26 of the list dated 09.12.2013 and thereafter, the petitioner was called for interview. Hence the first limb of the prayer has already been complied with. Further, as per the directions of this Court, the petitioner had also attended the interview, but he has not been selected. Therefore, this Court may grant liberty to the petitioner to challenge the selection process by filing a fresh writ petition.

4. Learned standing counsel appearing for respondents 1 and 2 and the learned Special Government Pleader appearing for the other official respondents have no serious objections to this Court issuing such a direction.

5. In the facts and circumstances of the case, without going into the merits of the contentions raised by the parties, this Court is inclined to close the writ petition by permitting the petitioner to work out his remedies in a manner known to law.

6. Accordingly, this writ petition is dismissed as nothing survives for consideration in this petition. However, the petitioner is granted liberty to work out his further remedies, by filing a fresh writ petition, if so advised, for challenging the selection process, in a manner known to law. Consequently, connected miscellaneous petitions are closed. However, there shall be no order as to costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Chief Engineer (Personnel)
Tamil Nadu Generation and Distribution
Corporation Ltd, (TNEB)
NO.144, Annasalai,
Chennai 2.
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Alandur Road, Tiru.Vi.Ka Industrial Estate,
Guindy, Chennai 32.

+1cc to the Government Pleader Sr.No.26345

W.P. NO.33846 OF 2013

rji (co)

rr ii (10/09/2020)