



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.12.2020

CORAM:

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) .No.14670 of 2014

and

MP (MD) No.1 of 2014

Tamil Nadu Electricity Board,
Engineers' Union rep. by its
Branch Secretary-Madurai,
M.Subramanian
S/o.P.Muthu,
Electricity Board Campus,
K.Pudur, Madurai 625 007.

... Petitioner

-Vs-

1. TANGEDCO
Rep. by its Superintending Engineer,
MEDC/Metro,
K.Pudur, Madurai-7.

2. Tamil Nadu Electricity Board,
Engineers' Sangam,
793, Anna Salai,
Electricity Avenue,
Chennai-2.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records relating to the impugned order bearing Lr.No.SE/MEDC/Metro/MDU/EE/GI/AEE/CIVIL/F.Esti/D.No.185/14, dated 20.08.2014 passed by the first respondent and quash the same.

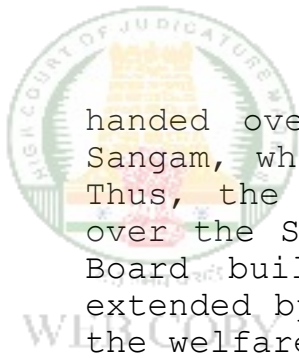
For Petitioner : Mr.S.Anwar Sameem

For Respondents : Mr.T.Sakthikumaran
Standing Counsel (for R1)

Mr.T.Lajapathi Roy (for R2)

ORDER

The order, dated 20.08.2014, is under challenge in the present writ petition. The impugned order states that the petitioner had not
<https://hcservices.ecourts.gov.in/hcservices/>



handed over the Engineers Sangam building to the TNEB Engineers Sangam, who is the second respondent in the present writ petition. Thus, the Superintending Engineer directed the petitioner to hand over the Sangam building to the second respondent. Allotment of a Board building for running a Sangam itself is the concession extended by the Board facilitating the employees union to serve for the welfare of the employees.

2.The purpose and object of the petitioner-Sangam as well as the second respondent-Sangam are to protect the rights of the employees working in Tamil Nadu Electricity Board. This being the common object of the association, the individual fights between the office bearers or some members would not cause prejudice to the interest of the employees working in the Tamil Nadu Electricity Board. Unity is being the prime concept to run a Sangam.

3.This Court is of the considered opinion that the employees Unit themselves protect their rights in the interest of public at large and to serve for the citizen of this great Nation. Claiming rights and performing duties are corresponding terms. The members of the Sangam are expected to perform their duties in the interest of the public at large. Equally, the rights are also to be protected.

4.However, in the present case, there is a dispute between the petitioner-Sangam and the second respondent-Sangam. May that it be, the competent authorities as a neutral executions are bound to resolve the disputes by conducting a proper enquiry and in accordance with the regulations of the board in force. Regulations governing the employees' Sangam are to be pressed into service for the purpose of resolving the dispute.

5.Neither the petitioner-Sangam nor the second respondent-Sangam are either tenants or the owner of the building allotted to the Sangam, when they are not having any contractual rights or otherwise. The allotment is a concession extended by the Board. Therefore, they cannot have any leasehold right for the purpose of establishing their right. The nature of allotment and other maintenance of the building are vested with the Tamil Nadu Electricity Board and as per the regulations. They are the competent persons to decide the issues, if any disputes arise.

6.This being the principles to be followed, the first respondent is directed to conduct an enquiry by affording an opportunity to the writ petitioner as well as the second respondent in accordance with the procedures contemplated and as per the Rules in force and take a decision and pass a speaking order assigning reasons, enabling the parties to understand their position. The said exercise is directed to be done by the first respondent within a period of twelve weeks from the date of receipt of a copy of this order. Both the petitioner-Sangam as well as the respondents'



Sangam are permitted to submit their representations, evidences or documents as the case may be.

7.The Writ Petition stands disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

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Sd/-

Assistant Registrar

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Sji

+1cc to Mr.J.Antony Arulraj, Advocate, SR.No.26455.

+1cc to Mr.T.Sakthi Kumaran, Advocate, SR.No.26450.

+1cc to Mr.T.Lajapathi Raoy, Advocate, SR.No.26488.

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SGS (CO)

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