

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.01.2021

CORAM

THE HONOURABLE MR.JUSTICE R. SURESH KUMAR

W.P. No. 26775 of 2009

M.Pichaimuthu

...Petitioner

-vs-

1. The Superintending Engineer,
T.N.E.B Vellore.

2. The Executive Engineer (O&M)
T.N.E.B Arakonam,
Vellore District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus directing the first and second respondents to include the petitioner's name in the panel list of the second respondent to get his benefits and also seniority for his further promotion.

For Petitioner : No appearance

For Respondent : Mr.M.Fakkir Mohideen
Standing counsel

O R D E R

The prayer sought for in the Writ Petition is for a Writ of Mandamus directing the first and second respondents to include the petitioner's name in the panel list of the second respondent to get his benefits and also seniority for his further promotion.

2. The petitioner claimed that, he was working as Contract Labourer under some private Contractor between 06.12.1991 to 31.01.2003 and in that context, he claimed that, his name has to be included in a seniority list, i.e., in a list called "Seniority IA & IB" along with other Contract Labourers.

3. In this context, it seems that, the petitioner has given a representation on 26.04.2009. Since the same was not considered, he filed this Writ Petition with the aforesaid prayer.

4. When the case is called today, there is no representation for the petitioner. Mr.M.Fakkir Mohideen, learned Standing

counsel appearing for the respondents would submit that, the Contract Labourer System has been abolished after taking thousands of Contract Labourers long back. Subsequently, there is no seniority list maintained by the respondents / TANGEDCO especially as has been claimed by the petitioner i.e., Seniority IA & IB list.

5. The learned Standing counsel categorically stated on instructions that, no such seniority list called IA & IB ever been maintained by the respondents / TANGEDCO. Therefore, the prayer itself, sought for by the petitioner, is totally misconceived.

6. I have considered the said submissions made by the learned Standing counsel appearing for the respondents and have perused the materials placed before this Court.

7. It is an admitted case on the part of the petitioner that, he claimed to work under private Contractor as a Contract Labourer between 06.12.1991 to 31.01.2003. Thereafter whether he had worked with any contractor or not, has not been spelt out by the petitioner.

8. This Writ Petition was filed in the year 2009 seeking such a prayer, for which, absolutely there is no foundation to claim such benefits from the respondents, since the respondents have categorically stated that, no such seniority list of IA & IB is maintained by the respondents / TANGEDCO.

9. In that view of the matter, no indulgence as sought for by the petitioner can be shown in this case. Accordingly, the Writ Petition fails and therefore, it is dismissed. However, there shall be no order as to costs.

Sd/-

सत्यमेव जयते
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vji
To

1. The Superintending Engineer,
T.N.E.B Vellore.
2. The Executive Engineer (O&M)
T.N.E.B Arakonam,
Vellore District.

+1cc to Mr.M.Fakkir Mohideen, Advocate, S.R.No.3355

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