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IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED : 15.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.NO.2901 OF 2009

AND

M.P.NOS.1 & 2 OF 2009

1. R.Thamilarasan
2. J.Madhesh
3. M.Palani
4. J.Ramesh

... Petitioners

.Vs.

1. The Tamil Nadu Electricity Board,
Rep. by its Chairman,
No.800, Anna Salai,
Chennai - 600 002.
2. The Chief Engineer - Personnel,
The Tamil Nadu Electricity Board,
No.800, Anna Salai,
Chennai - 600 002.
3. The District Employment Officer,
Krishnagiri District.

... Respondents

PRAYER:-

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 1st respondent Board to consider the candidature of the petitioners herein for recruitment to the post of Helpers.

For Petitioners : Mr.K.Sudalaikannu

For R1 & R2 : Mr.P.Subramanian
Standing Counsel

For R3 : Mr.C.Selvaraj
Additional Government Pleader



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(4) The concerned training institute would maintain a list of the persons trained year wise. The persons trained earlier would be treated as senior to the persons trained later. In between the trained apprentices, preference shall be given to those who are senior."

4. A similar view has been taken in the case of S.Bharani (supra).

5. This Court is of the view that, since the decision of the Hon'ble Supreme Court is in favour of the claim made by the petitioners, they could be given liberty to approach the respondents 1 and 2 herein with the representation seeking for appointment. Since the petitioners made a claim in the year 2009, the respondents 1 and 2 shall not insist on the upper age limit and consider the petitioners' case as a one-time measure.

6. In the light of the above decisions, the petitioners are granted liberty to approach the respondents 1 and 2 and make representation seeking for appointment for the post of Helper. On receipt of such representation, the respondents 1 and 2 shall consider the same in the light of the decisions made in U.P. State of Road Transport Corporation (supra) and S.Bharani (supra) and pass appropriate orders on their own merits and in accordance with law within a period of eight (8) weeks from the date of the representation. While passing such orders, the respondents 1 and 2 shall not insist for upper age limit on granting such appointment, as a one-time measure.

7. With the above directions, this Writ Petition is allowed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

rst

To

1. The Chairman,
The Tamil Nadu Electricity Board,
No.800, Anna Salai,
Chennai - 600 002.



2. The Chief Engineer - Personnel,
The Tamil Nadu Electricity Board,
No.800, Anna Salai,
Chennai - 600 002.

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3. The District Employment Officer,
Krishnagiri District.

+lcc to Mr.P.Subramanian, Advocate, S.R.No.17591

+lcc to the Government Pleader, S.R.No.18346

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GPL(CO)
PBS/01/04/2022