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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.42134 of 2016

R.Kamalanand ... Petitioner

Vs.

1. The Tamil Nadu Electricity Board,
   Rep. by its Chairman,
   Anna Salai,
   Chennai – 600 002.

2.The Tamil Nadu Generation and Distribution Corporation Ltd.,
   by its Chairman and Managing Director,
   Head Quarters Complex,
   144, Anna Salai,
   Chennai – 600 002. ... Respondents

Prayer : Writ Petition filed Under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondents herein to consider the representation of the petitioner dated 24.11.2016 and appoint the petitioner to the post of Technical Assistant / Electrical / Mechanical forthwith in the existing or future vacancies on the basis of the apprenticeship training.

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For Petitioner : Mr.G.Vasudevan

For Respondents : Mr.P.Subramanian
for TANGEDCO

ORDER

The relief sought for in the present writ petition is to direct the respondents to consider the representation of the writ petitioner dated 24.11.2016 and appoint the petitioner to the post of Technical Assistant/Electrical/Mechanical forthwith in the existing or future vacancies on the basis of the apprenticeship training.

2.The petitioner states that he has completed Diploma in Electrical and Electronics Engineering and undergone apprenticeship training under the Apprenticeship Act, 1961 at Tamil Nadu Electricity Board, Trichy from 18.12.2002 to 17.12.2003 i.e., the field of Electrical and Electronics Engineering. Though, the petitioner is fully qualified for appointment, his case was not considered. Thus, he made a representation to the authorities competent who in turn, failed to consider and consequently, the present writ petition is filed.

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3.Appointment can never be claimed as an absolute right. Appointments are to be made strictly in accordance with the rules in force. Mere eligibility for appointment would not be a ground to file a writ petition for issuing a direction to provide appointment. The preference granted to apprenticeship trainings were dispensed with by the Tamil Nadu Electricity Board and as per the recruitment rules, the petitioner has to participate in the open competitive process in accordance with the rules in force. Even at the time of filing of the writ petition, the petitioner was aged about 37 years and now he would be around 43 years. Thus, the relief as such sought for is devoid of merits and accordingly, this writ petition stands dismissed. No Costs.

22.09.2022

Index : Yes
Internet : Yes
Speaking order
ssr

To

1. The Tamil Nadu Electricity Board,
   Rep. by its Chairman,
   Anna Salai,
   Chennai – 600 002.

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S.M.SUBRAMANIAM, J.

ssr

2.The Tamil Nadu Generation and Distribution Corporation Ltd.,
by its Chairman and Managing Director,
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