



WEB COPY

W.P.No. 40682 of 2016



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.11.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No. 40682 of 2016

J. Lakshmanan

... Petitioner

Vs.

1. The Tamilnadu Electricity Board,
TANEDCO,
Represented by its Chairman,
Anna Salai, Chennai – 600 002.
2. The Tamilnadu 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 for the issuance of a Writ of Mandamus, directing the respondents herein to consider the representation of the petitioner dated 01.11.2016 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.



For Petitioner : Mr. G.V. Vasudevan
For Respondents : Mr. P. Subramanian
for TANGEDCO
for R1 and R2

ORDER

The writ petition has been filed to direct the respondent to consider the representation submitted by the writ petitioner on 01.11.2016 and to appoint the petitioner to the post of Technical Assistant/Electrical/ Mechanical.

2. The petitioner has undergone apprenticeship training under the Apprentices Act, 1961 at Tamil Nadu Electricity Board, Vellore from 08.04.2004 to 07.04.2005.

3. The learned counsel for the petitioner mainly contended that preference should be given to the candidates, who had undergone apprenticeship training under the Apprentices Act. Since the petitioner underwent the apprenticeship training with the electricity board, preference must be given for appointment to the post of Technical Assistant.

4. The learned counsel for the respondents objected the said contention



by stating that the preference granted to apprenticeship trainees had been withdrawn long back by the electricity board. Age relaxation alone was granted to participate in the process of selection. Now the selection to various posts are done in the Tamil Nadu electricity board as per the recruitment rules and through open competitive process. The petitioner participated in the process of selection in the year 2013, however he was unsuccessful in the process of selection and was not within the zone of consideration and thus he was not selected for appointment to the post of Technical Assistant.

5. Appointment can never be claimed as an absolute right. Appointments are to be made strictly in accordance with the Rules in force. Mere apprenticeship training would not confer any right to claim an appointment by submitting a representation. In the process of selection conducted in the year 2013, the petitioner participated and was not within the zone of consideration and thus the relief as such sought for by the petitioner to direct the respondents to consider the representation if considered, would do no service to the cause of justice. Contrarily, the petitioner will be back again to the Court by way of another litigation since the respondents have clearly stated that the petitioner was unsuccessful in the process of selection



and further appointment cannot be issued merely based on the apprenticeship training undergone by the petitioner.

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6. For all these reasons, the writ petition is devoid of merits and stands dismissed. No costs.

03.11.2022

mrn

Index : Yes / No

Speaking order / Non-Speaking order

To

1. The Chairman,
The Tamilnadu Electricity Board,
TANEDCO,



W.P.No. 40682 of 2018



Anna Salai, Chennai – 600 002.

2. The Chairman and Managing Director,
The Tamilnadu Generation and
Distribution Corporation Ltd.,
Head Quarters Complex,
144, Anna Salai, Chennai – 600 002.

S.M.SUBRAMANIAM, J.

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