



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.06.2022

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

Writ Petition No.5884 of 2014
and
M.P.No.2 of 2014

1.R.Nandheeswaran
S/o.R.Rajendiran

2.J.Sebastian Prabu
S/o.Josephraj

3.S.Selvamuthukumar
S/o.M.Seenivasan

4.S.Chandrasekaran
S/o.Swaminathan

... Petitioners

Vs.

1.The Chairman cum Managing Director,
Tamil Nadu Electricity Generation and
Distribution Corporation Ltd.,
No.144, Anna Salai,
Chennai - 600 002.

2.The Chief Engineer, Personnel,
Tamil Nadu Electricity Generation and
Distribution Corporation,
No.144, Anna Salai,
Chennai - 600 002.

3.The Chief Engineer, Hydro,
Tamil Nadu Electricity Generation and
Distribution Corporation Ltd.,
Fifth Floor, Eastern Wing,
No.144, Anna Salai,
Chennai - 600 002.

4.The Superintending Engineer,
Kadamparai Generation Circle,
Tamil Nadu Electricity Generation and
Distribution Corporation Ltd.,
Minparai, Coimbatore District - 641 101.

... Respondents



PRAYER:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records relating to the second respondent's notification made in Say.Ma.Tho.E/628/Varaikalai/2013 dated Nil published in the website of TANGEDCO., Ltd., and quash the same as illegal and without jurisdiction and violation of TNEB Service Regulations and consequently, direct the respondents 1 and 2 to issue fresh notification by calling the petitioners for interview to the posts of Technical Assistant on the basis of their practical experience in the respondent corporation and thereafter, to go ahead with the selection process for appointment to the post of Technical Assistant.

For Petitioners : Mr.G.Ananda Kumar

For Respondents : Mr.T.S.Gopalan

O R D E R

The recruitment notification issued in May 2013 by the TANGEDCO is sought to be quashed in the present writ petition. The petitioners seek further relief to direct the respondents 1 and 2 to issue fresh notification by calling the petitioners for interview to the post of Technical Assistant on the basis of their practical experience in the respondent corporation.

2. The petitioners state that they are fully qualified to the post of Technical Assistant. They served as operators on contract basis on consolidated pay. Learned counsel for the petitioners made a submission that by virtue of their experience in the TANGEDCO, they are entitled for certain priority for regular appointment to the post of Technical Assistant.

3. Learned counsel appearing for the respondents made a submission that the petitioners have not submitted their application. However, learned counsel for the petitioners disputed the said contention by stating that as per the notification, the petitioners are not qualified and therefore, the question of submission of application would not arise at all.

4. This Court is of the considered opinion that all such weightage for experience or other qualifications are to be considered during the process of selection by the competent authorities. Appointments are made through selection process and the petitioners have to participate in the process of selection for appointment to the post of Technical Assistant. Only in the



event of participating in the process of selection, the question of considering experience, qualification, etc. would arise. In the present case, the notification was issued in the year 2013 and now nine years have lapsed. Admittedly, the petitioners were not called for to attend the interview at the relevant point of time and at this length of time, the relief as such sought for by the petitioners cannot be granted.

Accordingly, this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-V)

//True copy//

Sub Assistant Registrar

gm

To

1.The Chairman cum Managing Director,
Tamil Nadu Electricity Generation and
Distribution Corporation Ltd.,
No.144, Anna Salai, Chennai - 600 002.

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Tamil Nadu Electricity Generation and
Distribution Corporation Ltd.,
Minparai, Coimbatore District - 641 101.

+1cc to Mr.T.S.Gopalan, Advocate SR.No.33931

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JPL (CO)

GMV (20/06/2022)