



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.03.2022

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THE HONOURABLE MRS.JUSTICE S.SRIMATHY

WEB COPY

W.P. (MD) .Nos.24464, 24465 and 24466 of 2016

W.P. (MD) .No.24464 of 2016

Prabakaran

... Petitioner

Vs.

1.The Principal Secretary to Government,
Department of Energy,
Secretariat,
Chennai - 600 009.

2.The Chairman,
Tamil Nadu Electricity Generation and
Distribution Corporation Limited,
Annasalai,
Chennai - 600 002.

3.The Chief Engineer,
Tamil Nadu Electricity Generation and
Distribution Corporation Limited,
Thenur,
Tiruchirappalli - 620 017.

4.The Superintending Engineer,
Tamil Nadu Electricity Generation and
Distribution Corporation Limited,
Thanjavur.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records of the fourth respondent passed in proceedings Letter No.6372/நிப/3/உ.1/கோ.நீ.ம.வ/2016, dated 10.06.2016 and quash the same and consequently direct the respondents 1 to 4 to absorb the petitioner by considering his services with the fourth respondent for more than 13 years in the Tamilnadu Electricity Board.

W.P. (MD) .No.24465 of 2016

Balasubramanian

... Petitioner

Vs.

1.The Principal Secretary to Government,
Department of Energy,
Secretariat, Chennai - 600 009.



2.The Chairman,
Tamil Nadu Electricity Generation and
Distribution Corporation Limited,
Annasalai,
Chennai - 600 002.

3.The Chief Engineer,
Tamil Nadu Electricity Generation and
Distribution Corporation Limited,
Thenur,
Tiruchirappalli - 620 017.

4.The Superintending Engineer,
Tamil Nadu Electricity Generation and
Distribution Corporation Limited,
Mannarpuram,
Tiruchirappalli.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records of the fourth respondent passed in proceedings Letter No.455-1/Adm.II/A1/F.CL Court Case/2016, dated 26.04.2016 and quash the same and consequently direct the respondents 1 to 4 to absorb the petitioner by considering his services with the fourth respondent for more than 18 years in the Tamilnadu Electricity Board.

W.P. (MD) .No.24466 of 2016

Mahendran

... Petitioner

Vs.

1.The Principal Secretary to Government,
Department of Energy,
Secretariat,
Chennai - 600 009.

2.The Chairman,
Tamil Nadu Electricity Generation and
Distribution Corporation Limited,
Annasalai,
Chennai - 600 002.

3.The Chief Engineer,
Tamil Nadu Electricity Generation and
Distribution Corporation Limited,
Thenur,
Tiruchirappalli - 620 017.



4.The Superintending Engineer,
Tamil Nadu Electricity Generation and
Distribution Corporation Limited,
Mannarpuram,
Tiruchirappalli.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records of the fourth respondent passed in proceedings Letter No.455-2/Adm.II/A1/F.CL Court Case/2016, dated 26.04.2016 and quash the same and consequently direct the respondents 1 to 4 to absorb the petitioner considering his services with the fourth respondent for more than 14 years in the Tamilnadu Electricity Board.

(In all Writ Petitions)

For Petitioner	:	Mr.T.M.Madasamy
For R-1	:	Mr.N.Ramesh Arumugam Government Advocate (Civil Side)
For R-2 and R-3	:	Mr.Anand Gopalan for M/s.T.S.Gopalan & Co.

COMMON ORDER

The petitioners are seeking to quash the impugned order dated 01.06.2016 and consequently direct the respondents to absorb the petitioners by considering their services respectively.

2. The learned counsel appearing for the respondents submitted that since it involves evidence, factual matrix and therefore cannot be heard under Article 226 of the constitution of India. The petitioners are seeking permanency. Admittedly, scrutiny of evidence is necessary. Therefore, this Court is granting liberty to the petitioners to approach the appropriate forum and seek remedy.

3. With this liberty, the Writ Petitions are disposed of. There shall be no order as to costs.

Sd/-

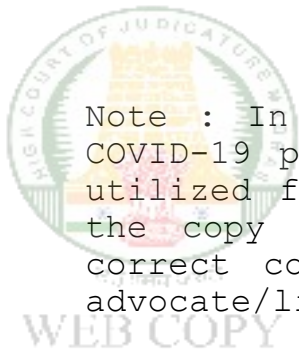
Assistant Registrar (AS)

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/ /2022

Sub Assistant Registrar (CS)

Nsr



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

The Principal Secretary to Government,
Department of Energy,
Secretariat, Chennai - 600 009.

+1 CC to M/s.T.S.GOPALAN & CO, Advocate (SR-14416[F] dated 25/03/2022)

+1 CC to M/s.SPL GP (SR-14268[F] dated 24/03/2022)

W.P. (MD) .Nos.24464, 24465 and 24466 of 2016
23.03.2022

SRR(CO)
KB(04.04.2022) 4P 4C