



W.A.No.1215 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.06.2023

CORAM:

**THE HON'BLE MRS. JUSTICE J.NISHA BANU
AND
THE HON'BLE MR. JUSTICE D.BHARATHA CHAKRAVARTHY**

**W.A.No.1215 of 2012
and M.P.No.1 of 2012**

- 1) P.Selvaraj
- 2) M.Karuppiah
- 3) S.Nagarajan
- 4) M.Seenivasan
- 5) C.Thavamani

... Petitioners 1, 3,5,6 & 11
/ Appellants

Vs.

- 1) The Chief Secretary to Government,
Fort St.George,
Chennai 600 009
- 2) The Secretary to Government,
Energy Department,
Fort St.George,
Chennai 600 009



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- 3) The Secretary to Government,
Adi Dravidar Welfare Department.
Fort St.George,
Chennai 600 009
- 4) The Secretary to Government,
P & AR Department,
Fort St.George,
Chennai 600 009
- 5) The Secretry to Government,
Finance Department,
Fort St.George,
Chennai 600 009
- 6) The Secretry to Government,
Law Department,
Fort St.George,
Chennai 600 009
- 7) The Chairman,
Tamil Nadu Electricity Holding Company,
Anna Salai, Chennai 600 002
- 8) The Chief Engineer, (Personnel)
Tamil Nadu Generation and Distribution
Corporation Limited,
Anna Salai, Chennai 600 002
- 9) The Managing Director,
Tamil Nadu Generation and Distribution
Corporation Limited,
Anna Salai, Chennai 600 002
- 10) The Managing Director,
Tamil Nadu Electricity Transmission
Corporation Ltd., Anna Salai
Anna Salai, Chennai 600 002



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11) B.Sivan

12) TNEB Engineers Sangam

Rep. by its General Secretary,

793, Anna Salai, Chennai 600 001

13) G.Arunkumar

14) S.Marimuthu

15) S.Ragunathan

16) R.Arivazhagan

17) G.Anbu

18) G.Thirugnanam

19) S.Ganesh Kumar

20) S.Murugesan

21) C.Mani

22) R.Ramesh Kumar

23) M.M.Suraj Kumar

24) K.Sivakumar

25) S.Ramesh

26) J.Anand

27) K.Vijayakumar

28) M.S.Elamurugan

29)G.Soundara Pandian

30)R.Elangovan

31) K.Babu

32) M.Arumuga Sankar

33) N.Radhakrishnan

34)P.Muthusamy

35)V.Ramasamy

36) T.Sakthivel

37)S.Sundara Rajan

38) S.Tamilmaran

39)G.Elumalai

40)S.Lakshmikanthan

41)P.Murugavel

42)M.Arul

43)M.Karuppusmy

44) R.Lokesh



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45)O.K.Rajkumar Shannjeeve
46)R.Sundararajan
47)K.Maduraiveeran
48)P.Kandasamy
49)A.Viswanathan
50)S.Malairaju
51)N.Vellaisamy
52)M.Krishnalingam

... Respondents

PRAYER: Writ Appeal filed under Clause 15 of the Letters Patent, may be pleased to set aside the order of the learned Judge passed in W.P.No.18291 of 2011 dated 27.04.2012.

For Appellants : M/s. Row and Reddy

For RR 1 to 6 : Mr.P.Anandakumar,
Government Advocate

For RR 7 & 8 : Mr.K.Rajkumar

For R12 : Mr.Sundar Narayan

For RR 15 to 21 : No Appearance

J U D G M E N T

This Writ Appeal is directed against the order of the learned Single Judge, dated 27.04.2012, in and by, the writ petition filed by the appellants was dismissed by the learned Single Judge.

2. In the writ petition, the appellants had impugned the seniority list on the ground that the reserved category candidates should have been placed in the appropriate places.



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3. The learned Single Judge found that when the Corporation Rules and Regulations does not have provisions for reservation, merely on the basis of Article 16 (4A) of the Constitution of India, which is only an enabling provision, enabling an employer to reserve posts alongwith consequential seniority by itself will not entitle the petitioner to impugn the seniority list.

4. In that view of the matter, no exception can be taken for the said finding of the learned Single Judge of this Court and therefore, this Writ Appeal fails and is accordingly dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(J.N.B., J.) (D.B.C., J.)
21.06.2023

Index : Yes / No
Internet : Yes / No
Neutral Citation : Yes / No
Speaking Order / Non-Speaking Order

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To:

- 1) The Chief Secretary to Government,
Fort St.George,
Chennai 600 009
- 2) The Secretary to Government,
Energy Department,
Fort St.George,
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- 3) The Secretary to Government,
Adi Dravidar Welfare Department.
Fort St.George,
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- 5) The Secretry to Government,
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10) The Managing Director,
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J. NISHA BANU, J.,
and
D.BHARATHA CHAKRAVARTHY, J.,

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Judgment made in
W.A.No.1215 of 2012

Dated:
21.06.2023