



W.P.Nos.20661 to 20671 of 2009

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2023

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THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.Nos.20661 to 20671 of 2009

and

M.P.Nos.1 to 1 of 2009

W.P.No.20661 of 2009

M.Vedachalam

... Petitioner

Vs

1. The Tamil Nadu Electricity Board,
Rep.by its Chairman,
800, Anna Salai, Chennai – 2.

2. The Chief Engineer (Personnel),
Tamil Nadu Electricity Board,
800, Anna Salai, Chennai – 2.

Respondents

...

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records of the second respondent relating to Memo No.145476/G21/G211/2007-4 dated 24.05.2008 and quash the same as illegal in so far as it relates to refusal for re-fixation of pay and consequently direct the respondents to re-



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fix the petitioner's pay on par with his junior Tmt.G.Kasthuribai in the post of Superintendent and Asst. Personnel Officer and notionally promote the petitioner to the post of Personnel Officer w.e.f. 25.08.2006 and re-fix the pay in the post of Personnel Officer and consequently grant terminal benefits and pensionary benefits including arrears of pay.

For Petitioner
in all W.Ps

: Mr.K.Sasindran

For Respondents
in all W.Ps

: Mr.K.Raj Kumar,
Standing Counsel

COMMON ORDER

These Writ Petitions have been filed challenging the order dated 24.05.2008, thereby rejecting the request made by the petitioners for their notional promotion and re-fixation of the pay.

2. The petitioners were appointed as Junior Assistant in the Tamil Nadu Electricity Board, on temporary basis. Thereafter, their services were regularized and they were placed on probation. Thereafter, they were promoted to the post of Assistant.



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3. The category of Assistant is the promotional post for Junior Assistant and Typist in the ratio of 3:1. It was abolished on 16.08.1979. Some of the affected persons approached this Court and the Division Bench of this Court by order dated 07.04.1990, held that in respect of vacancies that arose prior to the abolition, the ratio 3:1 should be followed. Accordingly, the seniority of the Assistant was revised. However, the petitioners' name were not found in the seniority list. However, their junior one G.Kasthuribai was promoted to the post of Superintendent. Therefore, one of the person, viz., Mohanavelan challenging the seniority list in W.P.No.1815 of 1994, insofar as the promotion given to the said G.Kasthuribai. The Writ Petition was dismissed and the Hon'ble Division Bench of this Court allowed the Writ Appeal and therefore, the respondents revised the seniority list. Accordingly, they were given promotion and their scale of pay was revised.

4. Insofar as the petitioners are concerned, they are fence sitters and after watching the Court proceedings, they submitted their



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representations. Thereafter, their representations were rejected by the order dated 25.04.2008 on the ground that the said G.Kasthuribai as well as other persons approached this Court and as directed by this Court, they were promoted and their scale of pay were re-fixed. Therefore, this Court finds no infirmity or illegality in the order passed by the second respondent and these Writ Petitions are devoid of merits.

5. In the result, these Writ Petitions are dismissed. Consequently, the connected Miscellaneous Petitions are closed. No costs.

22.09.2023

Index:Yes/No
Neutral Citation/Yes/No
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To

1. The Chairman,
The Tamil Nadu Electricity Board,
800, Anna Salai, Chennai – 2.
2. The Chief Engineer (Personnel),
Tamil Nadu Electricity Board,

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G.K.ILANTHIRAIYAN, J.

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