



W.P.No.21768 of 2011

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 07.12.2023

CORAM:

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

W.P.No.21768 of 2011
and M.P.No.2 of 2011

- 1.P.Ayyappan
- 2.D.Pushpraraj
- 3.G.Jayaprakash Anandraj
- 4.P.Selvakumar
- 5.A.Ramakili
- 6.P.Andawar
- 7.C.Senthilkumar
- 8.C.Baskar
- 9.J.Mahendran
- 10.M.P.Aruldoss
- 11.C.Sankar
- 12.C.Marimuthu
- 13.N.Siva
- 14.C.Ravi
- 15.R.T.Arangeswaran

...Petitioners

VS

- 1.The Chairman,
TNEB Holding Company,
144, Anna Salai, Chennai 600 002.
- 2.The Managing Director,
Tamil Nadu General and Distribution,
Corporation Limited,



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144, Anna Salai, Chennai 600 002.

3.The Chief Engineer (Personnel),
Tamil Nadu Generation Distribution,
Corporation Limited,
144, Anna Salai, Chennai 600 002.

4.Tamil Nadu Electricity Board Engineers Sangam,
Represented by its General Secretary,
144, Anna Salai, Chennai 600 002.

... Respondents

PRAYER:-Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records of the 3rd respondent Letter No.013019/43/G.1/G.11/2011-4 dated 21.07.2011 and quash the same and consequently direct the respondents 1 to 3 to recast the seniority of the petitioner in the post of Junior Engineer Grade II (Electrical) as per Regulation 89 (C) of the Tamil Nadu Electricity Board Service Regulation and pass such other orders.

For Petitioners : Mr.V.Stalin
for M/s.Row and Reddy
For respondents : Mr.K.Raj Kumar
Standing Counsel

ORDER

The petitioner had approached this Court seeking to quash the letter of the 3rd respondent dated 21.07.2011 and to consequently, direct the



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respondents 1 to 3 who are in the post of Junior Engineer Grade – II Electrical as per the Regulation 89 (C) of the Tamil Nadu Electricity Board Service Regulation.

2. Heard Mr.V.Stalin, learned counsel for the petitioners and Mr.K.Raj Kumar, learned Standing Counsel for the respondents.

3. When the Writ Petition was taken up for hearing, the learned counsel for the respondents relied upon the counter filed by the 3rd respondent affirmed by the respondents 1 and 2, would contend that the case of the petitioners have all been considered and they have also been promoted. He would further submit that the petitioners turn for promotion to the post of Assistant Executive Engineer will arise only in future as per the seniority and the rule. For better appreciation, the relevant paragraphs No.17, 18 & 29 of the aforesaid counter affidavit are extracted hereunder:-

17. I respectfully submit that from January 1984 after deletion of the Provision for Direct Recruitment, to the post of JE/ Electrical II Grade 124 carried over turns of SC/ST remained unfilled (as calculated from the earlier



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*selections made from the year 1978 to 1988). **Out of 124, 109 employees belonging to SC/ST upto the last person in service were selected by internal selection and appointed to the post of JE/Electrical II Grade during 1989 by relaxing the qualification relating to practical experience of 2 years, wherever required.***

18. I respectfully submit that after deletion of the Provision for Internal Selection 119 carried over turns of SC/ST remained unfilled (as calculated from the various selection made from the 1988 to 1993. The Board took a decision on 24.02.1995 to fill up 119 backlog vacancies of SC/ST. Accordingly, 119 candidates from SC/ST were selected to the post of Junior Engineer/ Electrical II Grade is in order.

.....

29. I respectfully submit that the petitioners were selected to the post of J.E./Electrical I Grade and joined during the year 1995. The petitioners turn for promotion to the post of Assistant Executive Engineer will arise only in future as per seniority/ rules. The Board is following the rules of reservation at all initial level categories of post and their seniority as stated above strictly without any deviation as per rules/ orders of



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Government issued in time to time.”

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4. The learned counsel appearing on behalf of the petitioner also did not seriously dispute to the contentions made in the counter affidavit extracted supra. In view of the same, I am of the view that the lis that is sought to be challenged in this Writ Petition no longer survives.

5. In fine, this Writ Petition is closed. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

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Index : Yes/No
Speaking order : Yes/No
Neutral Citation : Yes/ No



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K.KUMARESH BABU, J.

gba

To

- 1.The Chairman,
TNEB Holding Company,
144, Anna Salai, Chennai 600 002.
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Tamil Nadu General and Distribution,
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144, Anna Salai, Chennai 600 002.
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