



W.P.No.328 of 2011

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.08.2023

CORAM

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

**W.P.No.328 of 2011**  
**and M.P.No.1 of 2011**

K.S.Ravi

... Petitioner

-Vs-

1. The Tamil Nadu Electricity Board,  
represented by its Chairman,  
Mount Road, Madras-2.
2. The Chief Engineer/Personnel,  
The Tamil Nadu Electricity Board,  
represented by its Chairman,  
Mount Road, Madras-2.
3. The Superintending Engineer,  
Dharmapuri Electricity Distribution Circle,  
Dharmapuri 5.

... Respondents

**Prayer:-** Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, to direct the respondents to appoint the petitioner to the post of Helper in the Tamil Nadu Electricity Board.



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For Petitioner : M/s V.Pavithra  
for M/s V.Srimathi

For Respondents : Mr.K.Rajkumar  
Standing Counsel for TNEB

**ORDER**

This Writ Petition has been filed for direction directing the respondents to appoint the petitioner to the post of Helper in the Tamil Nadu Electricity Board.

2. Heard the learned counsel for the petitioner and the learned counsel for the respondents and perused the materials available on record.

3. The petitioner is qualified with ITI-NAC/NTC, electrician/Wireman. He had registered his qualification with the employment exchange and he was born on 02.05.1971. Through Employment Exchange, he had received a call letter to attend the interview on 10.02.2009 to the post of Helper under the first respondent. However, he was not selected to the said post for the reason that he had



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crossed the age of 37. The Cut off date fixed was 01.07.2008. On 01.07.2008, the petitioner crossed the age of 37.

4. The learned counsel for the petitioner would submit that the persons who were born in the month of May and June 1971 were selected and whereas, the petitioner was not selected to the said post.

5. A perusal of the counter filed by the respondents revealed that the petitioner was born on 02.05.1971. As on 01.07.2008, he had crossed the age of 37. As per G.O.Ms.No.98 dated 17.07.2006 to fill up the vacant posts by Direct Recruitment and relaxed the upper age limit for entering Government Service by five years. Based on the above said order the respondents issued an order dated 28.10.2006 and the upper age limit of each community is given as follows:

| <b>Community</b>  | <b>Maximum Age</b> |
|-------------------|--------------------|
| Other Community - | 35                 |
| BC/MBC/DC -       | 37                 |
| SC/ST -           | 40                 |

6. Further, as per the Judgment of the Hon'ble Supreme Court of India in C.A.Nos.5285-5328 of 1996, the age limit for each community



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is relaxed by one year for the candidates who have done apprentice training in TNEB and they were given the opportunity to attend the interview for the post of Helper. Therefore, the candidates as mentioned in the affidavit by the petitioner were given age relaxation of one year, since they had undergone Apprentice training under the first respondent. Therefore, their age was relaxed for one year and appointed to the post of Helper. Admittedly, the petitioner crossed the age of 37 on the date of crucial date i.e., 01.07.2008. Therefore, he cannot be promoted as Helper.

7. In view of the above, this writ petition is devoid of merits and is liable to be dismissed. Accordingly, this writ petition is dismissed. Consequently, connected Miscellaneous petition is closed. No costs.

18.08.2023

Internet : Yes

Index : Yes/No

Speaking order/Non-speaking order  
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To

1. The Chairman,  
The Tamil Nadu Electricity Board,  
Mount Road, Madras-2.
2. The Chief Engineer/Personnel,  
The Tamil Nadu Electricity Board,  
represented by its Chairman,  
Mount Road, Madras-2.
3. The Superintending Engineer,  
Dharmapuri Electricity Distribution Circle,  
Dharmapuri 5.



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**G.K.ILANTHIRAIYAN, J.**

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