



W.P.Nos.12756, 12761, 12767, 12770, 12772,
12775, 12777 & 12779 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.10.2023

CORAM

THE HONOURABLE Ms.JUSTICE R.N.MANJULA

W.P. Nos.12756, 12761, 12767, 12770, 12772,
12775, 12777 & 12779 of 2020
and W.M.P.Nos.15751, 15755, 15760, 15761, 15770, 15773, 15775,
15776, 15780, 15781, 15783, 15786, 15787, 15788, 15789 & 15790 of
2020

W.P.No.12756 of 2020
and W.M.P.Nos.12755 & 12756 of 2020

A.Sundaramoorthy	...	Petitioner in W.P.No.12756/2020
V.Anbu	...	Petitioner in W.P.No.12761/2020
V.Paranjothy	...	Petitioner in W.P.No.12767/2020
D.Elangovan	...	Petitioner in W.P.No.12770/2020
P.Muthuraman	...	Petitioner in W.P.No.12772/2020
G.Munusamy	...	Petitioner in W.P.No.12775/2020
V.Moorthy	...	Petitioner in W.P.No.12777/2020
R.Anandan	...	Petitioner in W.P.No.12779/2020

/vs/



W.P.Nos.12756, 12761, 12767, 12770, 12772,
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1. The Chief Engineer (Personnel),
Tamilnadu Generation and Distribution Corporation Ltd.,
8th Floor, N.P.K.R.R.Maalgai,
No.144, Anna Salai,
Chennai – 600 002.

2. The Superintending Engineer,
Tamilnadu Generation and Distribution Corporation Ltd.,
Chennai Electricity Distribution Circle (Central),
Chennai – 600 034.

... Respondents in all
W.P's.

Writ Petitions are filed under Article 226 of the Constitution of India to issue a writ of mandamus forbearing the respondents herein from in any manner giving promotions to the post of Inspector of Assessment with reference to the Suitability List published by the first respondent in his letter No.040904/206/G.25/G.252/2020-2 dated 21.07.2020 and consequently directing the respondents to promote the petitioners to the post of Inspector of Assessments by including their name in the suitability list on the basis of seniority list and by considering the representation submitted by the petitioners to the respondents dated 20.08.2020 within the time stipulated by this Court.

For Petitioner: Mr.G.Gangai Amaran
(in all W.P's)

For Respondents: Mr.K.Rajkumar
(in all W.P's) Standing Counsel for the respondents



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COMMON ORDER

These writ petitions have been filed for the issuance of a writ of mandamus forbearing the respondents herein from in any manner giving promotions to the post of Inspector of Assessment with reference to the Suitability List published by the first respondent in his letter No.040904/206/G.25/G.252/2020-2 dated 21.07.2020 and consequently directing the respondents to promote the petitioners to the post of Inspector of Assessments by including their name in the suitability list on the basis of seniority list and by considering the representation submitted by the petitioners to the respondents dated 20.08.2020 within the time stipulated by this Court.

2. The learned counsel for the petitioners submitted that the petitioners were initially appointed as a Contract Labourer in Vandavasi Rural Electricity Co-operative Society; later the said society got merged with Tamilnadu Generation and Distribution Corporation Limited on 06.04.2002; the labourers who were engaged by the said society prior to 05.01.1988 have been permanently absorbed and thereafter they were



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engaged on daily wage basis vide proceedings dated 28.06.2008 and the petitioners were engaged as contract labourers; as per order of the Executive Engineer (O&M), Vandavasi dated 01.12.2011, the petitioners were reposted as Temporary Casual Labour and thereafter they were temporarily promoted to the post of Assessor Grade II; while that being so, the first respondent issued a proceedings dated 21.07.2020 calling for particulars from respective divisions with regard to assessment of assessors for consideration for the post of Inspector (Assessor) based on the crucial date 20.02.2020; in the said list the name of the petitioners was not found; though the workers including the petitioners were engaged as contract labourers and subsequently as Temporary Casual Labours, their seniority has not been fixed by TANGEDCO.

2.1 A settlement called 12 (3) Settlement was arrived between the Management as well as the employees of T.N.E.B; on 10.08.2007 and thereafter board proceedings were issued on 19.02.2011; based on such proceedings, the appointments were made to Temporary Casual Labourers suiting to their educational qualifications, date of birth and date of joining



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duty; as per the said board proceedings, the respondents have not fixed the seniority list till date based on joining date.

2.2 The first respondent has called for particulars and suitability report from the individuals who were working as Assessors (Regular) for considering them to the post of Inspector of Assessment by excluding the petitioner; hence the petitioners have made a representation to the respondents on 20.08.2020 requesting to include their name for consideration to the post of Inspector of Assessment on the basis of seniority; since no action has been taken so far, the petitioners have filed this petition.

3. The main contention of the petitioners is that though they are eligible and entitled for consideration for the post of Inspector of Assessment as per the Board Proceedings, their names were not found in the suitability list issued by the second respondent due to non-finalisation of the seniority list by the respondents.



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4. The learned Standing Counsel for TANGEDCO submitted that this Court may issue direction to the respondents to consider the petitioners' representation dated 20.08.2020 and the respondents shall consider the same and pass appropriate orders.

5. Taking into consideration of the facts and circumstances of the case, I feel it is appropriate to direct the respondents to consider the representation given by the petitioners on 20.08.2020 and pass appropriate orders within a time frame.

6. Accordingly, these writ petitions are disposed with a direction to the respondents to consider the petitioners' representation dated 20.08.2020 and dispose the same in accordance with law within a period of six weeks from the date of receipt of a copy of this order. No costs. Connected miscellaneous petitions are closed.

16.10.2023

Index: Yes / No
Speaking order / Non-speaking order
bkn



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R.N.MANJULA ,J.

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