



WP.No.8698 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 15.12.2023

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THE HONOURABLE MRS. JUSTICE BHAVANI SUBBAROYAN

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J.Arivazhagan

..Petitioner

Vs

1. The Chairman Cum Managing Director,
Tamil Nadu Generation and Distribution Corporation Ltd
144, Annasalai,
Chennai 600 002.

2. The Chief Engineer Personnel,
Tamil nadu Generation and Distribution Corporation Ltd.,
144, Annasalai,
Chennai – 600 002

..... Respondents

PRAYER:- Writ petition filed under Article 226 of the Constitution of India prays to issue a Writ of Certiorarified Mandamus calling for the records relating to the select list of 273 Assistant Engineer / Electrical (EEE) by direct recruitment 2015 – 2017 in Tamil Nadu Electricity Board / TANGEDCO published by respondents 1 and 2 in the website on 29.03.2017 and quash the same insofar as it relates to the non-selection of the petitioner in Most Backward Class (General) under priority for the member of the family whose lands were acquired by Government is concerned and consequently direct the respondents 1 and 2 to select and



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appoint the petitioner as Assistant Engineer / Electrical (EEE) in Most backward class (General) under priority for the member of the family whose lands were acquired by Government in the Tamil Nadu Electricity Board / TANGEDCO.

For Petitioner : Mr.P.Chandrasekar

For Respondents : Mr.K.Rajkumar
Standing Counsel

ORDER

This writ petition has been filed challenging the Selection list published by respondents 1 and 2 in the website on 29.03.2017 for the post of Assistant Engineer / Electrical (EEE) for direct recruitment 2015 – 2017 in Tamil Nadu Electricity Board / TANGEDCO.

2. The case of the petitioner is that he is a physically challenged person with disability of 65% and possessed B.E.(EEE) graduation in the year 2011 and belongs to Most backward class. The petitioner belongs to a farmer family. His family had lost the farming lands belongs to the petitioner's family on account of land acquisition by Government. As a rehabilitation measure, the Government had given priority in employment



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assistance to those who lost their livelihood on account of land acquisition.

While so, the Tamil Nadu Electricity Board / TANGEDCO invited applications in various discipline including Electricals and Electronic Engineering. The petitioner had applied for the same and wrote the written Examinations. The petitioner secured 11.33 Marks and the cut off marks for priority candidates was 11.00 Marks. Though the petitioner is entitled for appointment, he was not called for an interview which took place on 13.03.2017. The petitioner in this regard had submitted a representation to the 1st respondent on 25.03.2017. Since no action has been taken by the respondents, the present writ petition has been filed before this Court.

3. The learned counsel for the petitioner submitted that since the cut-off mark for selection is 11.00 marks and the petitioner had secured 11.33 marks, he is eligible to attend the interview. The learned counsel further submitted that the petitioner had produced all the documents including the application for claiming priority category and also produced relevant Government Orders fixing the competence of the authorities for granting such certificates.



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4. Mr.K.Raj Kumar, learned Standing Counsel appearing for TNEB submitted that even if the petitioner had attended the interview and had acquired full marks, he would not have reached the zone of consideration, since the petitioner belongs to MBC General Priority category and the cut off mark fixed is 23.10. The learned counsel further submitted that the selection list was prepared based on the merit of the marks and as per communal roaster and the Section list of 375 Assistant Engineers was published in TANGEDCO website on 29.03.2017. The learned counsel further submitted that the lands acquired by the Government has been decided to be returned to the land owners without recollecting the compensation since the power project to be established by the NLC was dropped as economically unviable and therefore, the petitioner is not entitled to get the appointment under the priority category.

5. Heard the learned counsel for the petitioner and Mr.K.Raj Kumar, learned Standing Counsel appearing for TNEB.



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6. In view of the above discussion, this Court is of the view that the petitioner would be eligible to attend the interview that was conducted in the year 2017. Since the petitioner did not called for an interview and this Court had given a direction to the respondents to keep one post vacant, the respondents are directed to consider the case of the petitioner under the priority category and pass appropriate orders, in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. No costs.

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Index :Yes/ No

Internet :Yes /No

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To

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