



WEB COPY



W.P.No.4581 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.01.2024

CORAM

**THE HONOURABLE MS.JUSTICE R.N.MANJULA**

**W.P.No.4581 of 2021**

C.Tamizhselvan

... Petitioner

Vs.

1.The Chairman and Managing Director,  
Tamil Nadu Electricity Board,  
10th Floor, Eastern Wing,  
NPKRR Maaligai,  
No.144, Anna Salai, Chennai 600 002.

2.The Chief Engineer / Personnel,  
8th Floor (Eastern Wing),  
NPKRR Maaligai,  
No.144, Anna Salai, Chennai 600 002.

3.The Secretary,  
Tamil Nadu Electricity Board,  
10th Floor, Eastern Wing,  
NPKRR Maaligai,  
No.144, Anna Salai, Chennai 600 002.

... Respondents

**Prayer:** Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the order dated 04.02.2020 in letter No.45484/A22/A222/2017-21 of the third respondent and quash the



W.P.No.4581 of 2021

same and consequently direct the respondents to upgrade the petitioner to the post of Executive Engineer (Non Independent) with one increment.

For Petitioner : Mr.V.Mannarsamy

For Respondents : Mr.K.Rajkumar, Standing Counsel

### **ORDER**

This Writ Petition has been filed seeking issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the order dated 04.02.2020 in letter No.45484/A22/A222/2017-21 of the third respondent and quash the same and consequently direct the respondents to upgrade the petitioner to the post of Executive Engineer (Non Independent) with one increment.

2. Heard Mr.V.Mannarsamy, learned counsel for the petitioner and Mr.K.Rajkumar, learned Standing Counsel for the respondents.

3. The learned counsel for the petitioner submitted that the petitioner has been originally appointed as Assistant Engineer (Civil) in the respondent Board. A Board proceedings in proceedings No.112 dated 31.05.2022 has been issued and through which the Assistant Executive



W.P.No.4581 of 2021

Engineer / Civil has been re-designated as Executive Engineer / Civil (non-independent) however without any monetary benefits. The grievance of the petitioner is the denial of monetary benefit.

4. The learned Standing Counsel for the respondents submitted that considering the representation of various Unions and Associations to re-designate the post of Assistant Executive Engineer / Civil as Executive Engineer / Civil (non-independent), the Board had chosen to re-designate the post of those Assistant Executive Engineers / Civil who have been appointed in the year 1995 and completed twenty five years of service, as Executive Engineer / Civil (non independent). In the proceedings itself it has been stated that they can avail the benefits like selection grade and special grade and they shall not claim monetary benefit. It is obviously for the reason that the above re-designated post will get vanished once the individual gets retirement from the said post.

5. However, the learned counsel for the petitioner invited the



W.P.No.4581 of 2021

attention of this Court to the Board proceedings in (Permanent) B.P.(Ch.) No.101 dated 11.06.2008 and (Permanent) B.P.(Ch.) No.102 dated 25.09.2010 where the similarly placed persons whose post had been re-designated as Executive Engineers / Civil (non-independent) have been given with one increment with effect from the date of re-designation. When the respondents had chosen to sanction atleast one increment considering 25 years of service completed by the individuals, the petitioner shall not be discriminated and he should also be treated similarly as that of other individuals for whose benefit the same re-designation and sanctioning of one increment have been given.

6. This Writ Petition is disposed in view of the subsequent development of re-designating the post of the petitioner as Executive Engineer / Civil (non independent). However, the respondents are directed to sanction atleast one increment on par with other similarly placed persons for whose benefit one increment has been sanctioned after re-designation and as seen in the Board proceedings in (Permanent) B.P.(Ch.) No.101 dated 11.06.2008 and (Permanent) B.P.(Ch.) No.102 dated 25.09.2010 and pass orders in this regard within a period of four



W.P.No.4581 of 2021

weeks from the date of receipt of a copy of this order. No costs.

WEB COPY

**11.01.2024**

Index : Yes /No  
Internet : Yes/No  
Speaking / Non-speaking  
Neutral Citation : Yes / No  
gsk

To

- 1.The Chairman and Managing Director,  
Tamil Nadu Electricity Board,  
10th Floor, Eastern Wing,  
NPKRR Maaligai,  
No.144, Anna Salai, Chennai 600 002.
- 2.The Chief Engineer / Personnel,  
8th Floor (Eastern Wing),  
NPKRR Maaligai,  
No.144, Anna Salai, Chennai 600 002.
- 3.The Secretary,  
Tamil Nadu Electricity Board,  
10th Floor, Eastern Wing,  
NPKRR Maaligai,  
No.144, Anna Salai, Chennai 600 002.



WEB COPY



W.P.No.4581 of 2021

**R.N.MANJULA, J.**

gsk

**W.P.No.4581 of 2021**

**11.01.2024**