



WEB COPY



W.P.No. 4607 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.02.2024

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No. 4607 of 2024

and

W.M.P.No. 5052 of 2024

R.Sathish Kumar

....

Petitioner

Vs

1. The Chairman-cum-Managing Director,
Tamil Nadu Generation and Distribution Corporation Ltd.,
N.P.K.R.R.Maligai,
No.144, Anna Salai,
Chennai – 600 002.

2. The Chief Engineer (Personnel),
Tamil Nadu Generation and Distribution Corporation Ltd.,
N.P.K.R.R.Maligai,
No.144, Anna Salai,
Chennai – 600 002.

3. The Senior Personnel Officer (Recruitment),
Tamil Nadu Generation and Distribution Corporation Ltd.,
N.P.K.R.R.Maligai,
No.144, Anna Salai,
Chennai – 600 002.

....

Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to permit the petitioner to participate in the selection process to the post of Assistant Engineer (Civil) by accepting his application and process the same pursuant to the Notification in Letter No.04565- /G.55/(N)/G.172/ 2020, dated 01.02.2024 issued by the third respondent.



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For Petitioner : Mr.K.Sasindran

For Respondent : Mr.K.Rajkumar
Standing Counsel

ORDER

This Writ Petition has been filed for a direction directing the respondents to permit the petitioner to participate in the selection process to the post of Assistant Engineer (Civil) by accepting his application as per Notification in Letter No.04565-C/G.55/(N)/G.172/2020, dated 01.02.2024.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The petitioner's father had worked in the Tamil Nadu Electricity Board as Special Grade Foreman. While he was in service, he died on 06.07.2020. The petitioner, being a legal heir, submitted an application seeking employment on compassionate ground. His application was considered and the second respondent passed an order dated 03.06.2013, thereby he was provisionally selected for appointment to the post of Field Assistant (Trainee) on compassionate ground and his service was allotted to General Construction Circle-II/Chennai, which



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comes under TANTRANSCO Ltd. Pursuant to the said order, the Superintending Engineer, General Construction Circle-II, Chennai, sent a letter dated 09.06.2022, calling upon the petitioner to submit his original documents for verification. Accordingly, he submitted all original documents and he had joined as Field Assistant on 15.06.2022. While being so, the third respondent issued a recruitment Notification dated 01.02.2024, calling upon applications for appointment to the post of Assistant Engineer (Civil) from the eligible candidates through internal selection.

4. Clause (8) of the Notification says that the employees who have the requisite qualification and also eligible prior to 07.06.2022 as per (Per) FB TANGEDCO Proceedings No.5, dated 07.07.2022, are only eligible to apply for this Notification. Though the petitioner was selected for appointment to the post of Field Assistant on compassionate ground by an order dated 03.06.2022, he was issued an order of appointment and he joined in the said post on 15.06.2022 itself. Therefore, the petitioner could not apply for the post of Assistant Engineer (Civil).

5. Considering the fact that the petitioner was selected and



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appointed to the post of Field Assistant (Trainee) on compassionate appointment on 03.06.2022, the petitioner is also eligible to apply for the post of Assistant Engineer (Civil) through internal selection. The respondents are directed to permit the petitioner to apply for the post of Assistant Engineer (Civil) through online/physical mode and permit the petitioner to participate in the selection process to the post of Assistant Engineer (Civil).

6. With the above direction, this Writ Petition stands disposed of. Consequently, connected miscellaneous petition is closed. No costs.

23.02.2024

Index: Yes/No
Speaking Order: Yes
Lpp

Note : Issue order copy today i.e., on 23.02.2024.



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To
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G.K.ILANTHIRAIYAN, J.

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23.02.2024