



Cont.P.Nos.1027 to 1032 and 1738 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.09.2024

CORAM :

THE HONOURABLE MR.JUSTICE M.S.RAMESH

Cont.P.Nos.1027 to 1032 and 1738 of 2024

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| 1. Neela | ... Petitioner in Cont.P.No.1027 of 2024 |
| 2. B.Kanthammal | ... Petitioner in Cont.P.No.1028 of 2024 |
| 3. M.Ramachandran | ... Petitioner in Cont.P.No.1029 of 2024 |
| 4. T.Rajendiran | ... Petitioner in Cont.P.No.1030 of 2024 |
| 5. N.Kuppan | ... Petitioner in Cont.P.No.1031 of 2024 |
| 6. S.Suseela | ... Petitioner in Cont.P.No.1032 of 2024 |
| 7. S.Thirunavukarasu | ... Petitioner in Cont.P.No.1738 of 2024 |

Vs

1. Thiru Rajesh Lakhoni, I.A.S.,
Chairman and Managing Director,
Tamil Nadu Generation and Distribution Corporation,
No.144, NPKRR Maaligai, Anna Salai,
Chennai – 600 002.

2. Mr.A.Manikannan,
Chief Engineer (Personnel),
North Madras, Thermal Power Project,
North Chennai,
Chennai – 600 057.

... Respondents in all Cont. Petitions

COMMON PRAYER : Contempt Petition filed under Section 11 of Contempt of Courts Act, 1971 praying to punish the Respondent for the



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willful disobedience of the common Order of this Court passed in W.P.Nos.17874 to 17880 of 2013 dated 26.10.2016 under the provisions of Contempt of Courts Act.

For Petitioner : Mr.V.Prakash, Sr. Counsel
in all cases

For Respondents : Mr.A.P.Venkatesh Prasad
in all cases for AGAM Legal

COMMON ORDER

The order passed in the writ petitions in WP Nos.17874 to 17880 of 2013 dated 26.10.2016 was a direction to the respondent Corporation to issue the appointment orders to each of the seven writ petitioners within a period of three months.

2. In the intra Court appeals in W.A.No.1693 to 1699 of 2017 dated 14.12.2017, the three months period granted in the writ petitions was modified to six months. Further, the appeals before the Hon'ble Supreme Court in SLA(C) Nos.33081 to 33087 of 2018 were dismissed on 23.01.2024. As such the order of the Writ Court has become final.



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3. Pending these proceedings, the respondent Corporation had also issued provisional appointment orders on 29.11.2017. However, no positive orders were made. It is now represented that fresh appointment orders were issued to each of the seven writ petitioners on 14.08.2024 and that the writ petitioners have also joined their duties.

4. Though the major grievance of the petitioners have been redressed, the learned senior counsel appearing for the petitioners would submit that as per the orders passed in the writ petition, which has become final, the petitioners' appointment should have been notionally given effect to from the date on which the six months period prescribed by the Hon'ble Division Bench vide its order in W.A.No.1693 to 1699 of 2017 dated 14.12.2017.

5. This Court is in agreement with such submission made. When the orders in the writ petitions was modified by the Hon'ble Division Bench of this Court on 14.12.2017 with a direction to the respondent Corporation to issue appointment orders within a period of six months from 26.10.2016, which is the date on which original order in the writ petitions, was made, the



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petitioners would be entitled for notional appointment from the date on which the six months period stipulated in the writ appeal order had expired.

However, apart from continuity of service from such notional date of appointment, the petitioner may not be entitled to any other arrears of salary from the date of notional appointment till the date of joining pursuant to the appointment orders dated 14.08.2024.

6. With such an observation, the petitioners are granted liberty to make an application to the respondent Corporation seeking for notional appointment as indicated above and on receipt of such application, the respondent Corporation shall pass appropriate orders in the light of the observations and findings made in this order, within a period of four weeks from the date of receipt of the copy of this order.

7. With the direction, the Contempt Petitions are closed.

20.09.2024

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Index: Yes/No

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Speaking/Non-speaking Order

Neutral Citation: Yes/No

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M.S.RAMESH, J.

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