



W.P.No.9823 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :29.08.2024

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

**W.P.Nos.9823, 9849, 9850, 9852, 9853, 9854, 9882, 9831, 9847, 9885,
9887, 9839, 9881, 9879, 9880, 9834, 9837, 9841, 9827, 14501, 14504,
14525, 14503, 14526, 18147, 18157, 18150, 18153, 18154, 18172,
18175, 18177, 18174, 18182, 18191, 18184, 18186, 18189, 18258,
18260, 18265, 18269, 18262, 18271, 18273, 18274, 18277, 18276,
23245, 23248, 23250, 24332 of 2024**

W.P.No.9823 of 2024

C.Jaganathan

... Petitioner

Vs.

1.The Chairman,
Tamil Nadu Electricity Generation &
Distribution Corporation,
Anna Salai, Chennai.

2.The Chief Engineer (Personnel),
Tamil Nadu Electricity Generation &
Distribution Corporation,
Anna Salai, Chennai.

3.The Superintending Engineer,
Tamil Nadu Electricity Generation &
Distribution Corporation,
Cuddalore.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India,



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to issue a Writ of Mandamus, to direct the respondents to give permanent posting / employment in the cadre of Helper / Field Assistant in TANGEDCO pursuant to the order of absorption passed by this Court in Contempt Petition Nos. 1223 to 1303 of 2011 dated 28.02.2020 to the petitioner forthwith with all consequential and monetary benefits from 16.02.1999.

For Petitioner : Mr.N.Suresh
For Respondents : Mr.Anand Gopalan,
Standing Counsel

COMMON ORDER

These Writ Petitions have been filed to direct the respondents to give permanent posting / employment in the cadre of Helper / Field Assistant in the respondent Corporation.

2. On 27.08.2024, this Court has passed the following order:

“The Writ Petition has been filed directing the respondents to absorb the petitioners as permanent employees in the post of Field Assistant / Helper in the first respondent Corporation and also to direct the respondents to grant service and monetary benefits to the petitioners from the date of the order of the Inspector of Police, Cuddalore, dated 06.08.2007.

2. Mr.N.Suresh, learned counsel for the



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petitioners submitted that the petitioners have already got an order from the competent authority by allowing the claim of the permanency. Despite the same, the order has not been implemented by the respondents.

3. In fact, the respondents have challenged the order dated 04.07.2006 through which the petitioners' entitlement to permanency had been allowed and the third respondent filed W.P.No.7638 of 2012 batch and the same were dismissed. Despite the order allowing the permanency of the petitioners having been confirmed and attained finality, the respondents have not implemented the same. Hence, the petitioners have filed this writ petition seeking direction against the respondents.

4. Mr.Anand Gopalan, learned Standing Counsel for TANGEDCO, takes notice for the respondents.

5. List the matter along with connected Writ Petitions in W.P.Nos.14501, 14503, 14504, 14525, 14526, 18147, 18150, 18153, 18154, 18157, 18172, 18173, 18174, 18177, 18182, 18184, 18186, 18189, 18191, 18258, 18269, 18260, 18262, 18265, 18271, 18273, 18274, 18276, 18277, 9823, 9827, 9831, 9834, 9837, 9839, 9841, 9847, 9849, 9850, 1852, 9853,



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9854, 9880, 9881, 9882, 1885, 1887, 1879, 23245, 23248 and 23250 of 2024, under the caption “for orders” on 29.08.2024.”

Consequently, these Writ Petitions have been listed today under the caption "for orders".

3. The learned counsel for the petitioners in all the Writ Petitions submitted that a similar issue that has been dealt in W.P.Nos.7638 of 2012 batch is applicable to the issue raised in the present Writ Petitions also. The issue raised by the similarly placed persons in W.P.Nos.36045 of 2023 batch has been dealt and an order has been passed after analysing the issues raised and the Writ Petitions were allowed.

4. However, the learned counsel for the respondent Management submitted that he may be given with an opportunity to file counter with regard to the entitlement of the petitioners.

5. In this regard, it has to be stated that the respondents have



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already challenged the order passed in Claim Petition Nos.E/6532/06 dated 28.06.2007 etc., by filing a Writ Petition in W.P.No.7638 of 2012 and the same has been dismissed. Hence, the matter cannot be re-agitated once again by allowing the respondents to file counter and that will only be an unnecessary exercise to waste the time of the Court. As these Writ Petitions involve issues similar to the other Writ Petitions in W.P.Nos.36045 of 2023 batch, the order passed in the said Writ Petitions will be applicable to these petitioners as well.

6. Accordingly, these Writ Petitions are allowed and the respondents are directed to consider the claim of the petitioners and give permanent employment in the cadre of helper / Field Assistant within a period of two weeks from the date of receipt of a copy of this order. No costs.

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

29.08.2024



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R.N.MANJULA, J.

gsk

To

- 1.The Chairman,
Tamil Nadu Electricity Generation &
Distribution Corporation, Anna Salai, Chennai.
- 2.The Chief Engineer (Personnel),
Tamil Nadu Electricity Generation &
Distribution Corporation, Anna Salai, Chennai.
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