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W.P.No.11772 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.12.2024

CORAM:

**THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN**

**W.P.No.11772 of 2024**

Er.G.Jayarajan

...Petitioner

Vs

1. The Chairman Cum Managing Director  
Tamil Nadu Generation And Distribution  
Corporation, (TANGEDCO)

10th Floor, NPKRR Malligai

144, Anna Salai

Chennai 2

2. The Secretary  
Tamil Nadu Generation And  
Distribution Corporation, (TANGEDCO)  
144, Anna Salai  
Chennai 2

3. The Chief Engineer (Personnel)  
Tamil Nadu Generation And  
Distribution Corporation, (TANGEDCO)  
8th Floor, NPKRR Malligai  
144, Anna Salai Chennai 2

...Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents to revise petitioner's seniority in the categories of Assistant Executive



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Engineer/Civil, Executive Engineer/Civil and Superintending Engineer/Civil correspondingly, in pursuance to the proceedings of the third respondent, in accordance with the Revision of seniority was ordered in the category of Assistant Engineer/Civil dated 15.09.2023 and to confer consequential promotion as Chief Engineer, on par with his juniors, by considering his representations dated 30.12.2023 and 25.03.2024.

For Petitioner : Mr.V.Ravikumar

For Respondents : Mr.K.Rajakumar  
Standing counsel

### **ORDER**

This petition has been filed to direct the respondents to revise petitioner's seniority in the categories of Assistant Executive Engineer/Civil, Executive Engineer/Civil and Superintending Engineer/Civil correspondingly, in pursuance to the proceedings of the third respondent, in accordance with the Revision of seniority was ordered in the category of promotion as Chief Engineer, on par with his juniors, by considering his representations dated 30.12.2023 and 25.03.2024.

2. The case of the petitioner is that since the petitioner had submitted his Dependent Ex-Service man certificate for priority category,



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based on the qualification and his seniority in the District Employment Exchange, his name was sponsored through Employment Exchange and he was selected and appointed as Assistant Engineer/Civil, on 25.08.1989. Based on the Guidelines issued by the Government in G.O.Ms.No.1064 Public Service Department dated 16.03.1956 and as per G.O.Ms.No.54, P & AR Department dated 29.09.1989, the vacancies for which appointment are to be made through Employment Exchange, should be filled up by the candidates belonging to the Priority category and Non-Priority category, in the ratio of 50:50. But, while fixing the Seniority, without taking note of Guidelines of the above Government orders, without considering priority category, mistakenly his seniority was fixed in the category of Assistant Engineer/Civil published in the year 1995. The petitioner had forwarded many representations and submitted in person, for rectifying his seniority as the same was fixed mistakenly without considering his Priority category (Dependent of Ex-service man) and requested to assign correct Seniority by fixing him, in the appropriate place. While so, the third respondent vide her proceedings dated 15.09.2023, the seniority of the Petitioner was Revised and the petitioner was correctly included in the Assistant Engineer category at Serial No.4.



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Though the same was ordered as early as on 15.09.2023, inspite of many representations for the further revision of Seniority in the corresponding categories of Assistant Executive Engineer/Civil, Executive Engineer/Civil and Superintending Engineer/Civil, the same has not been considered by the respondents. Hence, the present petition.

3. Learned counsel for the petitioner would submit that in view of Non-Revision of Seniority in the Corresponding categories, the petitioner's further promotion chances are deprived and thereby, the petitioner is constrained to work under his Juniors. The Non Revision of his Seniority in the corresponding categories is "unjustified and the first respondent has to consider the claim of the petitioner in a proper perspective, and to confer consequential Promotion, on par with his Juniors. He further submitted that after knowing the wrong fixation of Seniority, the petitioner had forwarded many representations to the respective Authorities. Thereafter, the petitioner's claim Revision of seniority was considered vide proceedings of the third respondent dated 15.09.2023 and his name was included in the Entry Level Category at Serial No4. However, the Revision of Seniority in the corresponding categories have not been ordered by the respondents. The petitioner is in



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the last lap of his Services and he is going to retire on 31.12.2024.

The petitioner has forwarded his representations dated 30.12.2023, 05.02.2024, 26.02.2024, 19.03.2024 and 25.03.2024 for refixing Seniority his seniority for further categories. But, till now no order has been passed by the respondents.

4. Learned Standing Counsel appearing for the respondents would submit that the representations of the petitioner will be considered by the respondents on its own merits and in accordance with law, within the time fixed by this Court.

5. In view of the same, without going into the merits of the claim made by the petitioner, this Court is inclined to direct the respondents to consider the representations of the petitioner on merits and in accordance with law and pass a speaking order within a period of twelve(12) weeks from the date of receipt of copy of this order.

6. With the above direction, the Writ Petition stands disposed of. No costs.

**16.12.2024**

Index: Yes/No

Speaking order/Non-speaking order



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msv

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**V.BHAVANI SUBBAROYAN,J.**

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