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W.P.No.12463 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.04.2024

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.12463 of 2024
and W.M.P.Nos.13615 and 13616 of 2024

Tamil Nadu Electricity Board Engineers' Association,
Rep. by its General Secretary,
Electricity Avenue,
No.144, Anna Salai,
Chennai 0 600 002.

.. Petitioner

Versus

1. The Chairman-cum-Managing Director,
Tamil Nadu Generation and Distribution Corporation Ltd.,
No.144, Anna Salai,
Chennai - 600 002.
2. Chief Engineer/Personnel,
Tamil Nadu Generation and Distribution Corporation Ltd.,
No.144, Anna Salai,
Chennai - 600 002.

.. Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, pleased to issue a Writ of Certiorari calling for the records of the impugned proceeding issued by the 2nd respondent vide (Per) FB TANGEDCO Proceedings No.04, dated 05.03.2024, quash the same.

For Petitioner : Mr.Naveen Kumar Murthi
for M/s.S.Varsha



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For Respondents : Mr.K.Rajkumar

ORDER

This Writ Petition is filed challenging the TANGEDCO proceedings No.4, dated 05.03.2024.

2. The petitioner is an association of Engineers. According to the petitioner association, the impugned rationalisation which is done by the Board is completely irrational. They rely upon the following data which is given in paragraph No.6 of the affidavit filed in support of the Writ Petition :-

	Details	31.03.1987	31.03.2022	Times
1.	Installed capacity (MW)	3887	33877	8.71
2.	No. of Sub-Stations	475	1836	3.86
3.	EHT & HT Lines (Lakh ckt. Kms)	0.919	2.24	2.43
4.	LT Lines (Lakh Kms)	3.00	6.17	2.05
5.	Distribution Transformers	68,828	3,73,162	5.42
6.	Agricultural Pump-sets (Lakh)	11.16	22.87	2.04
7.	Consumers (Lakhs)	64.86	324.54	5.00
8.	Energy Sales (MU)	11,999	97,465	8.12



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3. According to the learned Counsel for the petitioner, the respondents themselves can see justification in the claim made by the petitioner association. The petitioner association or the employees who will be affected by the decision ought to have been taken into confidence before making the decision. An opportunity of hearing is also not granted. Therefore, the present Writ Petition is filed.

4. *Mr.K.Rajkumar*, learned Counsel, taking notice for the respondent Corporation, would submit that this is only an exercise of review of staff pattern taking into account the workload etc., that is made by a Sub-Committee appointed by the Board. Therefore, he would submit that when the review of workload is done as recommended by the Sub-Committee, this Court, under Article 226 of the Constitution of India, cannot interfere with the same. He would further submit that if the petitioner association has any genuine grievances, they can represent to the Board and it is for the Board to take appropriate action in the matter.

5. As far as the review of the staff pattern etc., is concerned, it can be seen that it comes within the realm of the employer. The instant exercise is



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reportedly done on the report of a Committee which is formed. Therefore, this Court is neither an appellate authority nor a super administrator under Article 226 of the Constitution of India to grant the relief as prayed for by the petitioner. However, if the petitioner association, being the association of Engineers, expresses any genuine grievances by way of a representation, if any, which may be filed within two weeks from the date of receipt of a copy of this order, the same shall be considered by the Board in accordance with law within four weeks therefrom.

6. In view thereof, this Writ Petition is disposed of with a liberty to the petitioner association to make a representation within two weeks from the date of receipt of a copy of this order and the same shall be considered by the Board of the first respondent within four weeks therefrom in accordance with law and take a decision in that regard. There shall be no order as to costs. Consequently, connected miscellaneous are closed.

30.04.2024

Index : yes
Speaking order
Neutral Citation : no



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