



WEB COPY

W.A.Nos.1498 of 2019, etc & Batch

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.07.2024

CORAM

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
AND**

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.A.Nos.1498, 1501, 1502, 1504 to 1506, 1516, 1520 & 1526 of 2019

W.A.No.1498 of 2019:

V.Karnesh

... Appellant

Vs.

1.The Chairman cum Managing Director,
TANGEDCO., Ltd.,
No.144, Anna Salai,
Chennai – 600 002.

2.The Chief Engineer/Personal,
TANGEDCO., Ltd.,
No.144, Anna Salai,
Chennai – 600 002.

3.The Commissioner,
Employment and Training,
Guindy, Chennai.

... Respondents

Prayer: Writ Appeal filed under Clause 15 of Letters Patent to set aside the order dated 13.03.2018 passed in W.P.No.5592 of 2018 on the file of this Court by allowing this writ appeal.



W.A.Nos.1498 of 2019, etc & Batch

For Appellants : Mr.V.Govarthanan
(in all WAs)

For R1 & R2 : Mr.K.Raj Kumar
Standing Counsel
[For TANGEDCO]
(in all WAs)

For R3 : Mr.D.Gopal
Government Advocate
(in all WAs)

COMMON JUDGMENT

[Judgment was delivered by **S.M.SUBRAMANIAM, J.**]

Equal opportunity in public employment is the Constitutional mandate. Appointment to the public posts are to be made through open competitive process and in accordance with the Recruitment Rules in force. Back door, illegal and irregular appointments are absolutely prohibited by the Constitution Bench of the Hon'ble Supreme Court of India in the case of ***State of Karnataka Vs. Uma Devi***¹. Thus, the employment to public services are to be made by affording equal opportunity of participation to the eligible candidates.

¹ (2006) 4 SCC 1



W.A.Nos.1498 of 2019, etc & Batch

WEB COPY

2. Mr.V.Govarthanan, learned counsel for the appellants would submit that many irregularities are occurring in the process of selection in the Tamil Nadu Electricity Board.

3. It is made clear that the selection and appointments are to be made strictly in accordance with Rules.

4. As far as the writ appeals on hand are concerned, the grounds raised are no more *res integra*. The Three Judges Bench of the Hon'ble Supreme Court of India in the case of ***R.Muthukumar and Others vs. The Chairman and Managing Director, TANGEDCO and Others***² delivered the judgment allowing the appeal filed by the Tamil Nadu Electricity Board, the relevant paragraphs are extracted hereunder; para 21 to 25

² Civil Appeal No.1144 of 2022, etc and batch



W.A.Nos.1498 of 2019, etc & Batch

5. In view of the judgment of the Apex Court cited supra, the present Writ Appeals fail and consequently, all the writ appeals are dismissed. No costs.

[S.M.S., J.] [C.K., J.]
11.07.2024

Jeni
Index : Yes
Speaking order
Neutral Citation : Yes

To

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