



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-12-2025

CORAM

THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

**WP No. 12995 of 2016
&WMP No.11347 of 2016**

1. Central Organisation of Tamil
Nadu,
Electricity Employees (COTEE),
Rep. by its General Secretary,
No.27, Mosque Street,
Chepauk, Chennai-600 005

2. J.Punniyakotti,
No.14/1, New No.45, Ethiraj Nagar,
Thiruvalluvar Street, Chennai-33

Petitioner(s)

Vs

1. The Chairman Cum Managing
Director,
Tamil Nadu Generation and
Distribution Corporation Ltd,
144, Anna Salai,
Chennai-600 002

2.The Chief Engineer (Personnel)
Tamilnadu Electricity Board/ Tamil
Nadu Generation and Distribution
Corporation Ltd., (TANGEDCO),
No.144, Anna Salai,
Chennai-600 002

Respondent(s)

**PRAYER**

This writ petition has been filed seeking for issuance of a Certiorarified Mandamus, to call for the records of the 2nd respondent in Letter No. 088108/1205/G26/G262/2015-1, dated 23.12.2015 and quash the same and consequently direct the 2nd respondent to absorb the 1st petitioner members as Assessor from September 2012 and pay the difference in salary, promotions and other benefits from September 2012 to February 2014 and further promotion to them in terms of Clause 14 of Section 12(3) Settlement dated 10.08.2007 within a period as fixed by this Court.

For Petitioner(s): Mr.V.Stalin

For Respondent(s): Mr. K.Rajkumar, St counsel

ORDER

Challenge in this writ petition is to the order dated 23.12.2015 vide letter 088108/1205/G26/G262/2015-1 issued by the 2nd respondent. By the said order, the claim of the petitioner /Union for promoting its members to the post of Assessor Grade came to be rejected.

2.The petitioner /Union entered into a settlement under Section 12(3) of the Industrial Disputes Act, 1947 with the respondent Corporation. As per the settlement, Clause 14 stipulates that Assessor Grade -II to be appointed/ absorbed as per the settlement, shall render a minimum period of 5 years of service for promotion or conversion cadre.



3.The learned counsel for the petitioner/ Union submitted that as per the terms of the settlement, the members who have completed 5 years of service as Assessor Grade -II are entitled to be promoted to the post of Assessor Grade and therefore, the impugned order passed by the second respondent is contrary to the terms of the settlement and therefore, it is liable to be set aside.

4.In response, the learned counsel for the respondents submitted that Clause 14 of the settlement only stipules that the members of the petitioner/ Union, who have completed 5 years of service as Assessor Grade II are entitled for promotion, but not entitled for promotion immediately on completion of the said 5 years and therefore, the claim of the petitioner/Union is untenable and sought for dismissal of the writ petition.

5.The arguments of the learned counsel for the parties and the materials placed on record are duly considered.

6.The settlement dated 10.08.2007 between the petitioner/Union and the respondent Corporation under Section 12(3) of the Industrial Disputes Act, 1947 reveals that the Assessor Grade -II to be appointed/absorbed as per the settlement shall render a minimum period of 5 years of service for promotion to



the next post i.e., Assessor Grade. However, the said Clause does not provide for promotion to Assessor Grade -II workmen immediately after completion of 5 years of service but only stipulates the eligibility criteria. In the absence of any statutory right under the settlement for promotion to the post of Assessor Grade, immediately after completion of 5 years of service as Assessor Grade -II, the claim of the petitioner/Union is untenable and the second respondent has rightly passed the impugned order and the same does not warrant any interference.

7. In the light of the above, this writ petition is dismissed. However, it is made clear that in the event if there are any vacancies, the claim of the petitioner/Union for promotion of its members to the post of Assessor Grade shall be considered on its own merits and in accordance with law. No costs. Consequently, connected miscellaneous petition is closed.

16-12-2025

dn

Index: Yes/No

Internet: Yes

Neutral Citation: Yes/No



To

1.The Chairman Cum Managing
Director, Tamil Nadu Generation and
Distribution Corporation Ltd, 144,
Anna Salai, Chennai-600 002

2.The Chief Engineer (Personnel)
Tamilnadu Electricity Board/ Tamil
Nadu Generation and Distribution
Corporation Ltd., (TANGEDCO),
No.144, Anna Salai,
,Chennai-600 002



WEB COPY

WP No. 12995 of 2016



HEMANT CHANDANGOUDAR, J.
dn

WP No. 12995 of 2016

16-12-2025