



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 11.08.2025**

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**THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR**

**W.P.No.3041 of 2005**

**and**

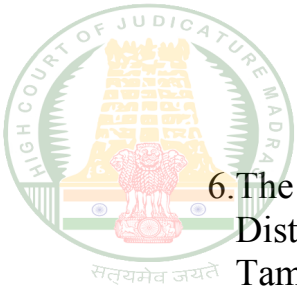
**WPMP.Nos. 6740 & 3418 of 2005**

Tamil Nadu Electricity Board Engineers Sangam,  
Represented by its General Secretary  
793, Anna Salai, Chennai 2.

... Petitioner

Vs.

- 1.The Tamil Nadu Electricity Board  
Represented by its Secretary  
800, Anna Salai, Chennai 2
- 2.The Chairman,  
Tamil Nadu Electricity Board,  
800, Anna Salai, Chennai 2
- 3.The Chief Engineer (Personnel)  
Tamil Nadu Electricity Board,  
800, Anna Salai, Chennai 2
- 4.The Chief Engineer  
Distribution (Chennai North)  
Tamil Nadu Electricity Board,  
800, Anna Salai, Chennai 2
- 5.The Chief Engineer  
Distribution (Erode)  
Tamil Nadu Electricity Board.



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6. The Chief Engineer  
Distribution (Trichy)  
Tamil Nadu Electricity Board.

7. Chief Engineer  
Distribution (Coimbatore)  
Tamil Nadu Electricity Board.

8. The Chief Engineer  
Distribution (Madurai)  
Tamil Nadu Electricity Board.

9. R. Veerapan

10. Ramasubbu

11. V. Muthukumar

12. T. A. Ramachandran

13. K. Rajendran

14. P. V. Laxmi Narasimhan

15. S. Sukumaran

16. A. Udhaya Sankar

17. N. Srinivasan

18. G. Premkumar

19. A. N. Murugadasan

20. A. Krishnamurthy

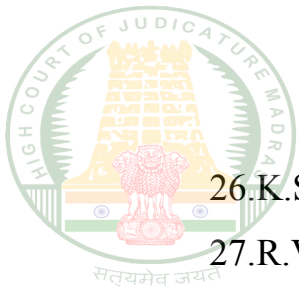
21. R. Narasimhan

22. S. Vasudevan

23. S. Pushpam

24. R. Ravirajan

25. V. Jayarajiyam



26.K.Sethuraman

27.R.Vijayan

28.C.Anees Ahmed

29.P.Ravichandran

30.P.M.Devaraj

31.R.Venilla

32.K.Dharmaraj

33.L.Sivasubramanian

34.G.Sathyanarayanan

35.G.Sundarappan

36.K.Anandapadmanabhan

37.A.Senthilvel

38.R.Laxmi

39.A.Tamil Selvi

40.N.Krishnaswamy

41.Nagarajan

42.Murali

43.Venkatesan

44.Mangalanathan

45.Balaji

.... Respondents

**Prayer:** Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus forbearing the respondents 1 to 3 from effecting upgradation of Section Head posts in City/Urban Sections and 110 KV non grid sub stations of the Tamil Nadu Electricity Board to that of Assistant Executive Engineer (Electrical) by abolition of the corresponding posts of



Assistant Engineer/Junior Engineer Grade I in the said Sections/Sub stations pursuant to (Per) BP (Ch) 19 dated 28.01.2005.

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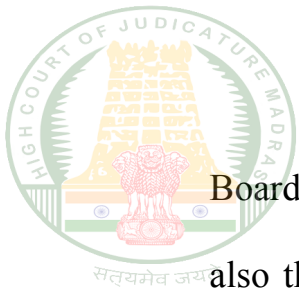
For Petitioner : Mr.Sundar Narayan

For Respondents : Mr.K.Rajkumar  
Government Advocate.

### **ORDER**

This writ petition has been filed seeking a writ of mandamus forbearing the respondents 1 to 3 from effecting upgradation of Section Head Posts in City/Urban Sections and 110 KV non grid sub stations of the Tamil Nadu Electricity Board to that of Assistant Executive Engineer (Electrical) by abolition of the corresponding posts of Assistant Engineer/Junior Engineer Grade I in the said Sections/Sub stations pursuant to (Per) BP (Ch) 19 dated 28.01.2005.

2. After having heard learned counsel for the petitioner at length, it is noticed that the relief that is being sought by the petitioner is in fact would amount to restraining the respondent Board from acting upon the BP (Ch) 19 dated 28.01.2005. According to learned counsel for the petitioner, the said BP (Ch) 19 dated 28.01.25 has been issued in utter violation of settlement dated 31.12.1993, arrived at between the petitioner Union and the respondent



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Board under Section 18(1) of the Industrial Disputes Act, 1947. Further, it is also the contention of the petitioner that the respondents, while taking steps to upgrade the post of Section Head Post in City/Urban Sections and 110 KV non grid sub stations to that of Assistant Executive Engineer (Electrical), have not followed the mandatory procedure prescribed under Section 9 A of the Industrial Disputes Act, 1947.

3. This Court, after having considered the contentions raised by learned counsel for the petitioner, is of the considered view that the petitioner is not entitled for the relief sought especially in the absence of any valid challenge to BP (Ch) 19 dated 28.01.2005. Consequently, in case, if the petitioner is of the view that an validly entered into settlement under Section 18(1) of the Industrial Disputes Act, 1947 is in any way violated by the respondent Board, it is always open for the petitioner to knock the doors of competent Labour Court seeking enforcement of the said award. Whether the respondents have in fact violated the terms of settlement or not cannot be examined by this Court, as the same would involve appreciation of various factual aspects. But in the instant case, no such factual foundation is laid to say that the respondent Board has violated the settlement dated 31.12.1993.



Even if there is any factual information furnished, the same cannot appreciated by this Court while exercising its jurisdiction under Article 226 of the Constitution of India, as the factual disputes cannot be gone into by this Court.

4. In the light of the above, this Court is not inclined to entertain this writ petition and the same is accordingly dismissed, leaving it open for the petitioner to initiate appropriate proceedings before the competent Labour Court, in case, if the cause still survives and the petitioner intends to prosecute the same. Connected miscellaneous petitions, if any, shall stand closed. No costs.

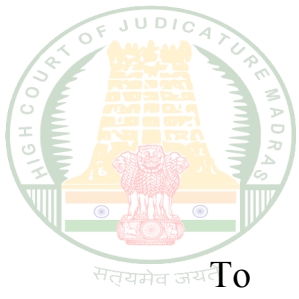
**11.08.2025**

dpa

Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation : Yes / No



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