



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.07.2025

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THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.No.21179 of 2013

and

M.P.Nos.1 & 2 of 2013

1.P.Elamaran

2.P.Muthaiyan

3.S.Rajendren

4.K.Balasubramanian

... Petitioners

Vs.

1.The Management of Tamil Nadu

Civil Supplies Corporation Limited

Represented by its Chairman and Managing Director

No.42, Thambusamy Road

Kilpauk, Chennai – 600 010.

2.The Government of Tamil Nadu

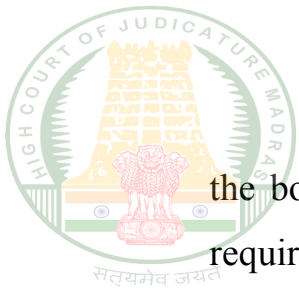
Represented by its Secretary

Fort St. George

Chennai – 600 009.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records of the 2nd respondent in connection with the Government Order M.S.No.114 dated 08.07.2013, Co-operation, Food and Consumer Protection (A1) Department and quash the same and consequently direct the 1st respondent to implement



the board decision in the 435th board meeting held on 14.08.2012 without requiring any approval from the 1st respondent corporation.

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For Petitioners : Mr.V.Prakash
Senior Counsel for Mr.K.Sudalai Kannu

For R1 : Mr.C.Selvaraj

ORDER

All the petitioners who were the employees of Tamil Nadu Civil Supplies Corporation/ Respondent No.1 filed this writ petition challenging the orders issued by the 2nd respondent in G.O.Ms.No.114, Co-operation, Food and Consumer Protection (A1) Department dated 08.07.2013 and to quash the same, while seeking a consequential direction to the 1st respondent to implement the board decision in 435th board meeting held on 14.08.2012 without requiring any approval from the 2nd respondent.

2. Heard Mr.V.Prakash, learned Senior Counsel for the petitioners and Mr.C.Selvaraj, learned counsel for the 1st respondent.

3. Through the impugned Government Order, the 2nd respondent refused to accede to the request made by the 1st respondent for amendment of the Service Rules of the respondent Corporation duly removing/reducing the



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service qualification prescribed for promotion to different posts. The 1st respondent Corporation in its board meeting held on 14.08.2012 passed a resolution to remove/reduce the service qualification prescribed for promotion to different posts taking into consideration the vacancies found in different cadres. The said resolution dated 14.08.201,2 passed by the 1st respondent, itself proposed to amend the Service Rules, subject to approval by the 2nd respondent Government.

4. Admittedly, in the instant case, the Government, while issuing the impugned order dated 08.07.2013, refused to accede to the resolution passed by the 1st respondent in its entirety, but the same was accepted with partial modification. Either by virtue of the resolution passed by the 1st respondent or by virtue of the orders issued by the Government, the Service Rules governing the employees of the respondent Corporation were not amended. The resolution of the respondent Corporation is only to amend the service Rules, either by reducing or removing the service qualification, only after obtaining the approval of the 2nd respondent.



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5. In the present writ petition, the petitioners are seeking a consequential relief of giving effect to the resolution dated 14.08.2012 without seeking approval from the 2nd respondent on the ground that the 2nd respondent is not an authority or has any control over the 1st respondent Corporation. Whether the 2nd respondent has got any control or not, the board of the 1st respondent Corporation has decided to amend the relevant Rules only on the approval granted by the 2nd respondent. The petitioners herein, who are governed by the relevant Service Rules, can make a claim for consideration of their cases for promotion only in terms of the relevant Service Rules and only on satisfying the relevant qualification criteria.

6. The petitioners herein have no role to play in the matter of framing or amending the relevant Service Rules. They have no right to seek amendment of the Service Rules. It is only in case, if the petitioners are aggrieved by any of the Service Rules, it is open for them to challenge the same either by approaching this Court or otherwise. But under no circumstances, the petitioners can be said to be having any right to seek amendment of the Service Rules in any manner. When the 1st respondent itself decides to amend the Service Rules subject to approval of the 2nd



respondent and has not chosen to amend the Service Rules, it is not open for the petitioners to seek enforcement of the resolution dated 14.08.2012.

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Therefore, the relief sought for in this writ petition cannot be granted.

7. Be that as it may, this Court, while entertaining the writ petition, granted an interim order directing maintenance of *status quo*, by an order dated 17.12.2013 in M.P.No.2 of 2013. However, the said interim order of *status quo* was subsequently vacated on the submission made by the learned Additional Advocate General stating that the seniority of the four petitioners and similarly placed persons, totalling to 92, will be protected and they will be promoted accordingly by relaxing the service requirement, if any. Therefore, the petitioners herein cannot be said to be having any subsisting grievance in the present writ petition.

8. Further, it is also brought to the notice of this Court that out of four petitioners, 2nd petitioner herein were promoted to the post of Deputy Manager and the other three petitioners have already retired from service. In the light of the above also, the relief sought in the present writ petition has practically become infructuous.



9. In the light of the above, this Court does not find any merit in the writ petition and the same is accordingly dismissed. No costs. Connected miscellaneous petitions, if any, shall stand closed.

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03.07.2025

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Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation : Yes / No

To

1.The Chairman and Managing Director
Management of Tamil Nadu
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No.42, Thambusamy Road
Kilpauk, Chennai – 600 010.

2.The Secretary,
Government of Tamil Nadu
Fort St. George
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