



W.P.No.16875 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.01.2025

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

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R. Gokulakannan

...Petitioner

Vs

1. The State Commissioner for the Differently Abled,
Commissionerate for the Welfare of the Differently Abled
No.5, Kamarajar Salai,
Lady Wellington College Campus, Chennai – 600 005.

2. The Chairman cum Managing Director,
Tamilnadu General and Distribution
Corporation Limited (TANGEDCO)
10th Floor, NPKRR Maligai,
144, Anna Salai, Chennai 600 002.

3. The Secretary,
Tamilnadu Electricity Board Limited,
9th Floor, NPKRR Maaligai,
144, Anna Salai, Chennai 600 002.

4. The Deputy Secretary/Personnel,
Tamilnadu Electricity Board Limited,
NPKRR Maaligai,
144, Anna Salai, Chennai 600 002.



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5. The Chief Engineer (Personnel),
Tamilnadu General and Distribution
Corporation Limited (TANGEDCO)
8th Floor, NPKRR Maligai,
144, Anna Salai, Chennai 600 002.

6. The Superintendent Engineer,
General Construction Circle,
TANTRAN Co Ltd.,
K.N.Colony, Udayampatty, Salem.

7. The Senior Sports Officer,
Tamilnadu Electricity Board Limited,
Ground Floor, NPKRR Maaligai,
144, Anna Salai, Chennai 600 002.

..Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records relating to the letter No.14491/A3/A32/2023-2 dated 15.05.2023 issued by the 4th respondent to convert the post of the petitioner of Junior Assistant into Sports Cadre.

For Petitioner : Mr.J. Sudhakaran

For Respondent-1 : Mr.Stalin Abhimanyu,
Additional Government Pleader

For Respondents 2 to 7 : Mr.K.Rajkumar, Standing Counsel

ORDER

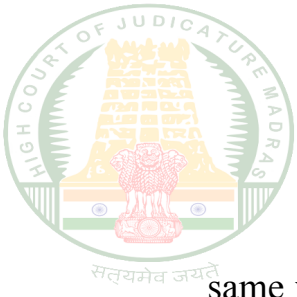


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This petition is filed seeking to issue a Certiorarified Mandamus calling for the records relating to the letter No.14491/A3/A32/2023-2 dated 15.05.2023 issued by the 4th respondent to convert the post of the petitioner of Junior Assistant into Sports Cadre.

2. The case of the petitioner is that he is working as Junior Assistant in the Tamilnadu Electricity Board Limited. The petitioner has participated in the National Level-1 Paralympic Athletics, Technical Official Seminar cum examination for athletes and coaches/officials organized by Paralympic Committee and obtained certificate of achievement for outstanding accomplishment in the Nepal-India para throw ball match series place winners in the para sitting throw ball men category. The sum and substance of the case is that due to the achievement in Sports at National and International level, the petitioner deserves the right to convert his post as Sports Cadre and he has approached the 4th respondent in this regard, who inturn rejected the same. Pursuant to which the petitioner made a representation to the first respondent on 01.10.2023 to convert his post into sports cadre and the



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same was rejected by the first respondent on 15.05.2023. Challenging the same the petitioner has come up with this petition.

3. The learned counsel for the petitioner submitted that after getting the proper permission from the Board the petitioner has attended the national and international competitions. Hence, there is no legal impediment for the respondents to covert his post as Sports Cadre. Hence, prays to allow this petition.

4. The learned Additional Government Pleader appearing for the first respondent produced a letter in R.O.C.No.81761/L.O/2023 dated 26.06.2024 wherein it has been stated that the request of the petitioner cannot be considered under Section 80(b) of Rights of persons with Disabilities Act, 2016 and it has to be exclusively dealt with by TANGEDCO based on its service rules.

5. Heard both sides and perused the materials available on record.



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6. Considering the facts and circumstances of the case this Court directs the petitioner to give a fresh representation to the Second Respondent/ The Chairman cum Managing Director, Tamilnadu General and Distribution Corporation Limited (TANGEDCO) within a period of four weeks from the date of receipt of a copy of this order. The Second respondent is directed to pass orders within a period of eight weeks from the receipt of the fresh representation.

7. With the above directions, this Writ Petition stands disposed of.

No order as to costs.

21.01.2025

Index: Yes/No
Speaking order/Non-speaking order
smn



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V.BHAVANI SUBBAROYAN,J.

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