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W.P.No.30133 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 15.09.2025

CORAM

THE HONOURABLE Mr. JUSTICE K.SURENDER

W.P.No.30133 of 2017
and WMP.Nos.32741 & 32742 of 2017

D.Thennarasu

... Petitioner

Vs

1.The Tamil Nadu Electricity Board

Rep by its Chairman

Anna Salai

Chennai – 600 002.

2.Tamil Nadu Generation & Distribution Corporation

Rep by the Chairman / Managing Director

Head Quarters Complex

No.144, Anna Salai

Chennai – 600 002.

3.TNEB Engineers' Sangam

Represented by its General Secretary

793, Anna Salai

Chennai – 600 002.

4.A.P.Rakesh

484-B, Anna Salai,

Nandanam, Chennai – 600 035.

[R3 & R4 impleaded vide order dated 01.09.2025

in WMP.No.8656 of 2018 in W.P.No.30133 of 2017]

... Respondents



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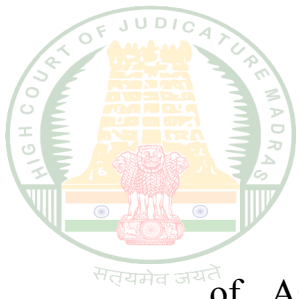
Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Declaration, more particularly in the nature of declaring the provision in Annexure I Class – II Division – II Category -3 referred to in regulation 92 read with 87(10A) of the TNEB Service Regulations as null and void and consequently direct the second respondent to recruit all the Assistant Engineer post only by way of direct recruitment by publishing widely through paper publication or any other news agencies.

For Petitioner : Mr.D.Charles Muthusandan

For Respondents : Mr.K.Rajkumar
Standing Counsel for TANGEDCO
[R1 & R2]
Mr.Sundar Narayan for R3 & R4

ORDER

The present writ petition has been filed to declare the provision in Annexure I Class – II Division – II Category -3 referred to in regulation 92 read with 87(10A) of the TNEB Service Regulations as null and void and consequently to direct the second respondent to recruit the Assistant Engineers only by way of direct recruitment through paper publication or any other news agencies.



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2. The petitioner having requisite qualifications, had applied for the post of Assistant Engineer in the respondent-Board, by direct recruitment. However, he did not fall within the zone of consideration and his rejection of candidature was on the ground that he did not possess the required marks in the written examination.

3. The petitioner had filed letters seeking information under the Right to Information Act, which *inter alia* sought the details from the respondent-Board. In the reply filed by the respondent-Board, the petitioner came to know that there was an internal selection process whereby the existing employees / in-service employees of the Board would be filled in the existing vacancies for the post of Assistant Engineer. It is the said internal selection process, which is now questioned by the petitioner.

4. The petitioner admittedly has applied for the post of Assistant Engineer. The process followed by the Board is that, for the post of Assistant Engineer, 50% of the posts would be filled up by the in-service employees and the remaining 50% of the posts by direct recruitment.

5. It is not the case of the petitioner that he had secured the required marks and other eligibility criteria for being appointed in the said post. It is



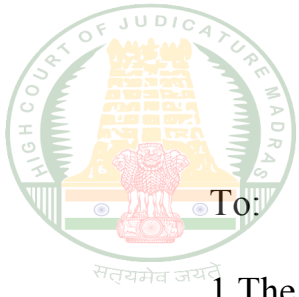
his specific case that the process of internal selection, which according to him,
is illegal.

6. The respondent-Board can recruit its own employees by adopting the process of internal selection. Therefore, such internal selection cannot be questioned. In a similar situation, the Division Bench of this Court in W.P.No.23245 of 2011 and W.P.No.11754 of 2002, held that the process of selection of employees in the ratio of 1:1 i.e., one from the existing employees and one by recruit recruitment, cannot be illegal.

7. In the said circumstances, the grievance of the petitioner that the internal selection process of the respondent-Board is illegal, cannot be accepted. Accordingly, the writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

(K.SURENDER,J.)
15.09.2025

Index : Yes / No
Speaking order : Yes / No
Neutral Citation : Yes / No
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