



W.P.(MD)No.2335 of 2021

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.11.2025

CORAM

THE HON'BLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD)No.2335 of 2021

and

W.M.P.(MD)No.1939 of 2021

K.Sivamani

: Petitioner

Vs.

1.The Chairman cum Managing Director,
Tamil Nadu Generation and Distribution Corporation
(TANGEDCO),
No.144, Anna Salai,
Chennai.

2.The Chief Engineer / Personal,
Tamil Nadu Generation and Distribution Corporation
(TANGEDCO),
No.144, Anna Salai,
Chennai.

3.The Superintending Engineer,
Tamil Nadu Generation and Distribution Corporation
[TANGEDCO],
Thanjavur.

: Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned orders in (Per.) CMD TANGEDCO proceedings No.79 dated 07.12.2020 issued by the second respondent, quash the same as illegal, consequently directing the second respondent to implement the same proceedings in (Per.) B.P.(Ch.) No.9 dated 09.01.2008 and to consider petitioner's representation dated 08.01.2021.

For Petitioner : Mr.M.Dinesh

For Respondents : Mr.Anand Gopalan
for M/s.T.S.Gopalan & Co.

ORDER

This Writ Petition has been filed challenging the impugned order dated 07.12.2020 passed by the second respondent.

2.Under the impugned order, the second respondent has removed the committee constituted for identifying contract labourers for the purpose of absorbing them into the respondent Corporation. Admittedly, the petitioner was not identified as one of the contract



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labourers by the committee constituted by the respondents for being absorbed with TANGEDCO. The petitioner was also not part of 12(3) settlement which resulted in TANGEDCO constituting a committee for the purpose of absorbing contract labourers in TANGEDCO. Therefore, the earlier representation given by the petitioner dated 08.01.2021, seeking for absorption with TANGEDCO has rightly not been considered by the respondents, since the petitioner is not identified by the committee constituted by TANGEDCO for the purpose of being absorbed into service with TANGEDCO. The petitioner claims that he has been working with TANGEDCO as contract labourer since 1995. However, the same has been disputed by the respondents as seen from their counter filed before this Court.

3.No prejudice will be caused to the respondents if the petitioner is allowed to give a fresh representation seeking for regularization of his service with the respondent within a time frame to be fixed by this Court and a direction is issued to the concerned respondent to consider the same on merits and in accordance with law within a time frame to be fixed by this Court.

4.Since the Superintending Engineer, [TANGEDCO], Thanjavur, is the competent authority to pass final orders,



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Superintending Engineer, [TANGEDCO], Thanjavur is *suo motu* impleaded as party third respondent in this Writ Petition.

5. Accordingly, this Writ Petition is disposed of, by directing the petitioner to submit a fresh representation to the Superintending Engineer, [TANGEDCO], Thanjavur, within a period of two [2] weeks from the date of receipt of a copy of this order, seeking to be absorbed with the respondent TANGEDCO on account of his contention that he has been working with TANGEDCO as a contract labourer since 1985. On receipt of the said representation, the Superintending Engineer, [TANGEDCO], Thanjavur, shall pass final orders on merits and in accordance with law within a period of twelve [12] weeks, thereafter.

6. With the aforesaid direction, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

04.11.2025

Index : Yes / No

Internet : Yes / No

NCC : Yes/No

MR

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ABDUL QUDDHOSE., J.

MR

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