



W.P.(MD)No.11808 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 26.02.2025

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THE HONOURABLE MR.JUSTICE **SHAMIM AHMED**

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Mareeswaran

... Petitioner

vs.

1.The Chairman and Managing Director,
Tamil Nadu Generation and Distribution Corporation Ltd.,
10th Floor, NPKRR Maaligai,
144, Anna Salai, Chennai 600 002.

2.The Chief Engineer/Personnel,
Tamil Nadu Generation and Distribution Corporation Ltd.,
8th Floor, PKRR Maaligai,
144, Anna Salai,
Chennai 600 002.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to issue appointment order to the petitioner(Hall Ticket No.50020112316) for the post of Gangman recruited vide Notification No.1/2019 dated 07-03-2019 by considering the representation made by the petitioner dated 03-05-2021 in the interest of Justice.



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For Petitioner :Mr.Nadir Nasar for
Mr.N.Mohideen Basha
For Respondents :Mr.B.Ramanathan
Standing Counsel

ORDER

This Writ Petition has been filed with the following prayer:-

“directing the respondents to issue appointment order to the petitioner(Hall Ticket No.50020112316) for the post of Gangman recruited vide Notification No.1/2019 dated 07-03-2019 by considering the representation made by the petitioner dated 03-05-2021 in the interest of Justice.”

2. The facts of the case in a nut shell, led to filing of this Writ Petition and necessary for disposal of the same, are as follows:-

The Petitioner is working as Contract Labourer in Tamil Nadu Electricity Board from the year 2002. On 07.03.2019, the second respondent, had issued Notification No.1/2019, calling for applications for the post of Gangman. The petitioner applied for the same under PSTM Quota, as he has completed his 6th std., in Tamil Medium. He



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attended the physical examination and written examination on 10.12.2019 and 15.03.2020 respectively. In the written examination, he secured 62 marks and he was placed at Serial No.9672 in the mark wise result published by the second respondent. However, his name was not included in the selection list and the names of the persons, who secured lesser marks than the petitioner, were included in the selection list, which is in violation of right to equality and fair opportunity. Thus, the petitioner had made a representation dated 03.05.2021 to the second respondent, copy of which is annexed at page No.24 and 25 of the paper book, along with his grievances and claim, but the said representation was not decided by the second respondent and the same is still pending for consideration. Hence, this Writ Petition has been filed seeking the relief as stated supra.

3. Heard Mr.Nadir Nasar, learned counsel assisted by Mr.N.Mohideen Basha, learned counsel for the petitioner and Mr.B.Ramanathan, learned Standing Counsel for the respondents.



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4. The learned counsel for the petitioner, while reiterating the averments made in the affidavit filed in support of this Writ Petition, submits that the second respondent may be directed to decide the representation of the petitioner dated 03.05.2021 by way of a reasoned and speaking order in accordance with law.

5. Mr.B.Ramanathan, learned Standing Counsel for the Respondents submits that the petitioner cannot claim PSTM Quota, as he did not annex the mark sheet or any document that he studied up to 5th std in Tamil Medium, which is the requisite qualification for the post of Gangman. It was further submitted that if the petitioner has any grievances with regard to the selection process, he may file a fresh representation before the 2nd Respondent for redressing his grievances and the same will be decided by way of a reasoned and a speaking order in accordance with law.



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6. After considering the submissions made by the learned counsels

for both parties and perusing the records and averments made in the Writ Petition, this Court deems it appropriate that no useful purpose will be served in keeping this Writ Petition pending before this Court.

7. Accordingly, the petitioner is directed to file a fresh representation before the 2nd Respondent detailing his claim and grievances within a period of four weeks from today. If any such representation is filed by the Petitioner before the 2nd Respondent as per the time stipulated by this Court, the 2nd Respondent is directed to consider the same and pass a reasoned and speaking order on merits and in accordance with law, after giving sufficient opportunity to the Petitioner, within a period of two months from the date of receipt of such representation. The 2nd Respondent shall communicate the decision to the Petitioner through Registered Post with Acknowledgement Due (RPAD) within a period of two weeks from the date of passing the order.



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8. With the aforesaid directions, the Writ Petition stands disposed

of. No costs.

Index :Yes / No
Internet :Yes / No
NCC :Yes / No

26.02.2025

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To

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SHAMIM AHMED, J.

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