



W.A.(MD) Nos.1279, 1280, 1281 & 1282 of 2018

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.06.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

**W.A.(MD) Nos.1279, 1280, 1281 & 1282 of 2018
and
C.M.P.(MD) Nos.8980, 8981, 8982 & 8983 of 2018**

W.P.(MD) No.1279 of 2018:

1.K.S.Suresh

2.K.Kalpana

... Appellants

-vs-

1.A.Kathiravan

2.K.Santhana Marimuthu Raja

3.M.Vennila

4.M.Manikandan

5.A.Navis

6.V.Susai Irudaya Antony Jude

7.V.Sathya Narayana Kumar

8.P.Kanthimathinathan

9.M.Mayilvannan

Page 1 of 18



W.A.(MD) Nos.1279, 1280, 1281 & 1282 of 2018

10. The Tamil Nadu Electricity Board
rep.by its Chairman
800, Anna Salai
Chennai-600 002
11. The Chief Engineer (Personnel)
The Tamil Nadu Electricity Board
800, Anna Salai
Chennai-600 002
12. Manonmaniam Sundaranar University
rep.by its Registrar
Abishekapatti, Tirunelveli
13. G.Bhas
14. K.R.Elango
15. N.Gayathiri
16. R.Girija
17. N.Govindan
18. R.Herbert
19. S.K.Jahenmohan
20. S.Jayakumar
21. S.Jeya
22. N.Karthi Ganesh
23. K.Karuppasamy
24. K.Kathiravan
25. A.V.Kulandaivel
26. R.Kumaran



W.A.(MD) Nos.1279, 1280, 1281 & 1282 of 2018

WEB COPY

27.K.Manjula

28.J.Mathan

29.G.Mohan Gandhi

30.V.Mohanasundaram

31.V.Natarajan

32.S.Neelakandan

33.M.Patrick David

34.M.Perumal

35.G.D.Raja

36.P.Rajasekar

37.R.Rajesh Kannan

38.R.Ramachandran

39.J.Sankar

40.N.Senthilkumar

41.P.Senthilkumar

42.S.Shanmugam

43.G.Shanmugapriyan

44.P.Shanmugasundaram

45.K.Sheik Abdul Khader

46.S.Sugantha



W.A.(MD) Nos.1279, 1280, 1281 & 1282 of 2018

47.K.Sumathi

48.P.Vaikundamani

... Respondents

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 03.06.2016, passed in W.P.(MD) No.2344 of 2006, on the file of this Court.

For Appellants : Mr.T.Sakthi Kumaran

For Respondents : Mr.A.Mohamed Aqil
for M/s.Ajmal Associates for R12
No appearance for RR6, 7, 9 to 11, 13, 14, 18,
19, 33, 44 & 46
Not ready notice for RR1 to 5, 8, 15 to 17, 20
32, 34 to 43, 45, 47 & 48

to

W.P.(MD) No.1280 of 2018:

1.K.S.Suresh

2.K.Kalpana

... Appellants

-vs-

1.A.Kathiravan

2.K.Santhana Marimuthu Raja

3.M.Vennila

4.M.Manikandan

5.A.Navis

6.V.Susai Irudaya Antony Jude

Page 4 of 18



W.A.(MD) Nos.1279, 1280, 1281 & 1282 of 2018

WEB COPY

7.V.Sathya Narayana Kumar

8.P.Kanthimathinathan

9.M.Mayilvannan

10.The Tamil Nadu Electricity Board
rep.by its Chairman
800, Anna Salai
Chennai-600 002

11.The Chief Engineer (Personnel)
The Tamil Nadu Electricity Board
800, Anna Salai
Chennai-600 002

12.Manonmaniam Sundaranar University
rep.by its Registrar
Abishekapatti, Tirunelveli

13.G.Bhas

14.K.R.Elango

15.N.Gayathiri

16.R.Girija

17.N.Govindan

18.R.Herbert

19.S.K.Jahenmohan

20.S.Jayakumar

21.S.Jeya

22.N.Karthi Ganesh



W.A.(MD) Nos.1279, 1280, 1281 & 1282 of 2018

- 23.K.Karuppasamy
24.K.Kathiravan
25.A.V.Kulandaivel
26.R.Kumaran
27.K.Manjula
28.J.Mathan
29.G.Mohan Gandhi
30.V.Mohanasundaram
31.V.Natarajan
32.S.Neelakandan
33.M.Patrick David
34.M.Perumal
35.G.D.Raja
36.P.Rajasekar
37.R.Rajesh Kannan
38.R.Ramachandran
39.J.Sankar
40.N.Senthilkumar
41.P.Senthilkumar
42.S.Shanmugam
43.G.Shanmugapriyan



W.A.(MD) Nos.1279, 1280, 1281 & 1282 of 2018

WEB COPY

44.P.Shanmugasundaram

45.K.Sheik Abdul Khader

46.S.Sugantha

47.K.Sumathi

48.P.Vaikundamani

... Respondents

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 03.06.2016, passed in W.P.(MD) No.2347 of 2006, on the file of this Court.

For Appellants : Mr.T.Sakthi Kumaran

For Respondents : Mr.A.Mohamed Aqil
for M/s.Ajmal Associates for R12
No appearance for RR6, 7, 9 to 11, 13, 14, 18,
19, 33, 44 & 46
Not ready notice for RR1 to 5, 8, 15 to 17, 20
32, 34 to 43, 45, 47 & 48

to

W.P.(MD) No.1281 of 2018:

1.K.S.Suresh

2.K.Kalpana

... Appellants

-vs-

1.A.Kathiravan

2.K.Santhana Marimuthu Raja

3.M.Vennila

4.M.Manikandan

Page 7 of 18



W.A.(MD) Nos.1279, 1280, 1281 & 1282 of 2018

WEB COPY

5.A.Navis

6.V.Susai Irudaya Antony Jude

7.V.Sathya Narayana Kumar

8.P.Kanthimathinathan

9.M.Mayilvannan

10.The Tamil Nadu Electricity Board
rep.by its Chairman
800, Anna Salai
Chennai-600 002

11.The Chief Engineer (Personnel)
The Tamil Nadu Electricity Board
800, Anna Salai
Chennai-600 002

12.Manonmaniam Sundaranar University
rep.by its Registrar
Abishekapatti, Tirunelveli

13.G.Bhas

14.K.R.Elango

15.N.Gayathiri

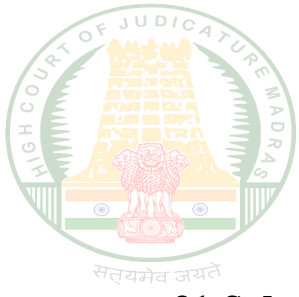
16.R.Girija

17.N.Govindan

18.R.Herbert

19.S.K.Jahenmohan

20.S.Jayakumar



W.A.(MD) Nos.1279, 1280, 1281 & 1282 of 2018

21.S.Jeya

22.N.Karthi Ganesh

23.K.Karuppasamy

24.K.Kathiravan

25.A.V.Kulandaivel

26.R.Kumaran

27.K.Manjula

28.J.Mathan

29.G.Mohan Gandhi

30.V.Mohanasundaram

31.V.Natarajan

32.S.Neelakandan

33.M.Patrick David

34.M.Perumal

35.G.D.Raja

36.P.Rajasekar

37.R.Rajesh Kannan

38.R.Ramachandran

39.J.Sankar

40.N.Senthilkumar

41.P.Senthilkumar



W.A.(MD) Nos.1279, 1280, 1281 & 1282 of 2018

WEB COPY

42.S.Shanmugam

43.G.Shanmugapriyan

44.P.Shanmugasundaram

45.K.Sheik Abdul Khader

46.S.Sugantha

47.K.Sumathi

48.P.Vaikundamani

... Respondents

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 03.06.2016, passed in W.P.(MD) No.2349 of 2006, on the file of this Court.

For Appellants : Mr.T.Sakthi Kumaran

For Respondents : Mr.A.Mohamed Aqil
for M/s.Ajmal Associates for R12
No appearance for RR6, 7, 9 to 11, 13, 14, 18,
19, 33, 44 & 46
Not ready notice for RR1 to 5, 8, 15 to 17, 20
32, 34 to 43, 45, 47 & 48

to

W.P.(MD) No.1282 of 2018:

1.K.S.Suresh

2.K.Kalpana

... Appellants

-VS-

1.A.Kathiravan

Page 10 of 18



W.A.(MD) Nos.1279, 1280, 1281 & 1282 of 2018

WEB COPY

2.K.Santhana Marimuthu Raja

3.M.Vennila

4.M.Manikandan

5.A.Navis

6.V.Susai Irudaya Antony Jude

7.V.Sathya Narayana Kumar

8.P.Kanthimathinathan

9.M.Mayilvannan

10.The Tamil Nadu Electricity Board
rep.by its Chairman
800, Anna Salai
Chennai-600 002

11.The Chief Engineer (Personnel)
The Tamil Nadu Electricity Board
800, Anna Salai
Chennai-600 002

12.Manonmaniam Sundaranar University
rep.by its Registrar
Abishekapatti, Tirunelveli

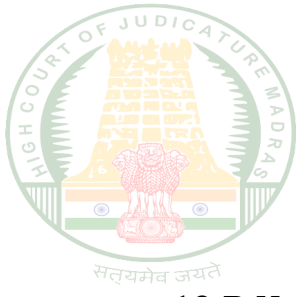
13.G.Bhas

14.K.R.Elango

15.N.Gayathiri

16.R.Girija

17.N.Govindan



W.A.(MD) Nos.1279, 1280, 1281 & 1282 of 2018

WEB COPY

18.R.Herbert

19.S.K.Jahenmohan

20.S.Jayakumar

21.S.Jeya

22.N.Karthi Ganesh

23.K.Karuppasamy

24.K.Kathiravan

25.A.V.Kulandaivel

26.R.Kumaran

27.K.Manjula

28.J.Mathan

29.G.Mohan Gandhi

30.V.Mohanasundaram

31.V.Natarajan

32.S.Neelakandan

33.M.Patrick David

34.M.Perumal

35.G.D.Raja

36.P.Rajasekar

37.R.Rajesh Kannan

38.R.Ramachandran



W.A.(MD) Nos.1279, 1280, 1281 & 1282 of 2018

WEB COPY

39.J.Sankar

40.N.Senthilkumar

41.P.Senthilkumar

42.S.Shanmugam

43.G.Shanmugapriyan

44.P.Shanmugasundaram

45.K.Sheik Abdul Khader

46.S.Sugantha

47.K.Sumathi

48.P.Vaikundamani

... Respondents

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 03.06.2016, passed in W.P.(MD) No.2347 of 2006, on the file of this Court.

For Appellants : Mr.T.Sakthi Kumaran

For Respondents : Mr.A.Mohamed Aqil
for M/s.Ajmal Associates for R12
No appearance for RR6, 7, 9 to 11, 13, 14, 18,
19, 33, 44 & 46
Not ready notice for RR1 to 5, 8, 15 to 17, 20
32, 34 to 43, 45, 47 & 48

to



W.A.(MD) Nos.1279, 1280, 1281 & 1282 of 2018

COMMON JUDGMENT

WEB COPY

[Judgment of the Court was made by S.M.SUBRAMANIAM, J.]

The intra-court appeals on hand have been instituted by the respondents 40 & 13 respectively in the writ proceedings.

2. The respondents 1 to 9 filed separate writ petitions challenging the proceedings of the Tamil Nadu Electricity Board vide BP(FB) No.3 (Administrative Branch), dated 13.02.2006, through which, the Tamil Nadu Electricity Board selected 39 employees in the discipline of Electronics and Communication Engineering, Computer Science, Information Technology Engineering and Instrumentation Engineering to the post of Assistant Engineer / Electrical by Internal Selection. The said Board proceedings states that the said internal selection was made as a special case by relaxing the provision of ratio provided in the Tamil Nadu Electricity Board Service Regulations as one time measure.

3. The appellants before this Court, who are the beneficiaries, secured promotion under the said Board proceedings as a special case. Their grievance is that the inter-se seniority between the one time promotees and the regular promotees was fixed by placing the appellants herein below the name of the other promotees.



W.A.(MD) Nos.1279, 1280, 1281 & 1282 of 2018

WEB COPY

4. The counter affidavit filed by the Tamil Nadu Electricity Board was recorded by the learned Single Judge and the writ petitions were disposed of. Thus, the appellants have chosen to file the present writ appeals.

5. Learned counsel for the appellants would mainly contend that the inter-se seniority of the appellants has been erroneously fixed by placing them below the other promotees.

6. However, this Court is of the considered view that the appellants in the event of preferring intra-court appeals cannot seek a new prayer and the Writ Court, in the present case, recorded the statement made by the Tamil Nadu Electricity Board that the seniority of the employees will not be disturbed and recording the same, the writ petitions were disposed of.

7. This Court has independently considered the counter affidavit filed by the Chief Engineer (Personnel) TANGEDCO Ltd., wherein it has been stated that the writ petitioners challenged the appointment of 38 persons, who have been appointed as Assistant Engineer / Electrical by way of Internal Selection during February, 2006 as a special case, will become senior to them, due to their earlier appointment is factually not correct. The true fact and the actual position of the appointment of the 38 persons are that they will be



W.A.(MD) Nos.1279, 1280, 1281 & 1282 of 2018

placed automatically below the writ petitioners in the seniority list and it will not affect the writ petitioners' seniority as Assistant Engineer / Electrical. It has been clearly stated that the appellants herein cannot claim seniority over and above the regular promotees as a special case by relaxing the relevant rules and they will be placed below the regular promotees. The said statement was recorded in favour of the writ petitioners / respondents 40 & 13 respectively and accordingly, the writ petitions were disposed of.

8. Subsequently, an inter-se seniority list of the Assistant Engineers / Electrical was published by the Tamil Nadu Electricity Board *vide* proceedings dated 20.06.2017. If at all the appellants are aggrieved from and out of the fixation of seniority, they would have challenged the same by filing a separate writ petition. However, the appellants cannot seek any relief relating to seniority in the writ petitions filed by the respondents 40 & 13 herein nor prefer intra-court appeal seeking relief in their favour.

9. As far as the order impugned in the writ petitions is concerned, the Tamil Nadu Electricity Board made a submission that the seniority of the writ petitioners are protected and therefore, no adjudication is required and accordingly, the learned Single Judge recording the said submission, disposed of the writ petitions, which would not pave way for the appellants herein to



W.A.(MD) Nos.1279, 1280, 1281 & 1282 of 2018

seek for re-fixation of seniority or to seek a direction fix their seniority over and above the regular promotees. Since the subsequent inter-se seniority list of the Assistant Engineers / Electrical, dated 20.06.2017, remains unchallenged by the appellants herein, they are not entitled for any relief in the present writ appeals.

10. Accordingly, these writ appeals are dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

[S.M.S., J.]

[A.D.M.C., J.]

17.06.2025

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

krk



WEB COPY



W.A.(MD) Nos.1279, 1280, 1281 & 1282 of 2018

S.M.SUBRAMANIAM, J.
and
DR.A.D.MARIA CLETE, J.

krk

W.A.(MD) Nos.1279, 1280, 1281 &
1282 of 2018
and
C.M.P.(MD) Nos.8980, 8981, 8982 &
8983 of 2018

17.06.2025