



WEB COPY



W.P.No.6687 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2026

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.6687 of 2024

And

W.M.P.No.7435 of 2024

A.Sundararajan

... Petitioner

Vs.

- 1 TAMIL NADU GENERATION AND
DISTRIBUTION CORPORATION LIMITED
REPRESENTED BY ITS SECRETARY
NO.144, ANNA SALAI,
CHENNAI.
- 2 THE CHIEF ENGINEER,
METTUR THERMAL POWER STATION-I,
METTUR DAM – 06.
- 3 THE SUPERINTENDING ENGINEER
PURCHASE AND ADMINISTRATION
METTUR THERMAL POWER STATION-I
METTUR DAM – 06.
- 4 THE DEPUTY SECRETARY/ PERSONNEL
SECRETARIAT BRANCH
N.P.K.R.R. MAALIGAI,
144, ANNA SALAI,
CHENNAI.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to



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issue a Writ of Certiorarified Mandamus calling for the records on the file of the fourth respondent relating to the impugned letter dated 19.07.2023 bearing Ref.No.23404/A17/A171/2023-1 and the impugned letter dated 17.02.2021 bearing Ref. No.23924/A18/A181/2020-1 and the impugned letter of the third respondent dated 16.02.2023 bearing Ref. No.40336/1293/Adm.I/A.1/F.Dkt/2023 and quash the same and consequently direct the second respondent to sanction and disburse the additional charge allowance due to the petitioner for the period from 10.02.2015 to 06.02.2020 with interest at 18% per annum from the date on which the same is due and payable.

For Petitioner : Mr.N.U.Pressanna
For Respondents : Mr.David Sunder Singh for R1 to R3
Standing Counsel

ORDER

This writ petition has been filed seeking issuance of Writ of Certiorarified Mandamus calling for the records on the file of the fourth respondent relating to the letter dated 19.07.2023 bearing Ref.No. 23404/A17/A171/2023-1 and the letter dated 17.02.2021 bearing Ref. No.23924/A18/A181/ 2020-1 and the impugned letter of the third respondent dated 16.02.2023 bearing Ref. No.40336/1293/Adm.I/A.1/ F.Dkt/2023 and quash the same and consequently direct the second



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respondent to sanction and disburse the additional charge allowance due to the petitioner for the period from 10.02.2015 to 06.02.2020 with interest at 18% per annum from the date on which the same is due and payable.

2.The learned counsel appearing for the petitioner submitted that the petitioner was appointed as Assistant Engineer (Mech.) on 21.06.1991 and posted at Tuticorin Thermal Power Project at Tuticorin and was thereafter transferred and posted under the second respondent with effect from 12.02.1993 and was thereafter promoted to the post of Assistant Executive Engineer and posted at Papanasam Power House, Tirunelveli Generation Circle. During the year 2005, the petitioner was sponsored by the respondents for undergoing the Course of Diploma in Industrial Safety at Regional Labour Institute at Guindy and after completion of the said Course, the petitioner rejoined duty at Periyar Power House, Tirunelveli Generation Circle. During the year 2006, the petitioner was transferred and posted at the office of the second respondent as Assistant Executive Engineer cum Safety Officer and the said post was redesignated as Safety Officer.



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3.The learned counsel appearing for the petitioner further submitted that when the petitioner was working as Safety Officer, the second respondent vide order dated 10.02.2015 ordered to hold Full Additional Charge in respect of the post of Labour Welfare Officer by invoking Regulation 49 of TNEB Service Regulations and the order specifically mentioned that the petitioner is entitled for additional charge allowance with effect from 10.02.2015 to till the petitioner is relieved from the said post. The petitioner was holding the Full Additional Charge in respect of the post of Labour Welfare Officer for the period from 10.02.2015 to 06.02.2020 and thereafter the petitioner was promoted to the post of Executive Engineer and was posted at Hydro Project, Erode, however, the petitioner was disbursed with additional charge allowance only upto March, 2017 and hence, the petitioner made representation seeking additional charge allowance, however, his request was rejected on the ground that when an additional post is subordinate to the regular post, then additional pay is not permitted.

4.The learned counsel appearing for the petitioner further submitted that the post of Safety Officer comes under the control of



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the Factory Manager cum Superintending Engineer (Operations) and the post of Labour Welfare Officer comes under the control of Superintending Engineer (Purchase and Administration) and hence the post of Labour Welfare Officer can never be called as a subordinate post to the post of Safety Officer and hence the issue in hand does not fall under Regulation 49(5)(1)(3) of TNEB Service Regulation and it falls under Regulation 49(5)(1)(i) of TNEB Service Regulation and hence, the impugned order is not sustainable one.

5.Per contra, the learned Standing Counsel appearing for the respondents 1 to 3 submitted that the chart in the affidavit filed by the petitioner itself makes it clear that both the post of Safety Officer and Labour Welfare Officer are coming under the control of Chief Engineer and further submitted that as per Ruling (5)(3) under Regulation 49 of TNEB Service Regulations, in cases where the additional post is subordinate to the regular post, additional pay is not permitted and hence the petitioner is not entitled to claim additional charge allowance.

6.Heard the arguments advanced on either side and perused the materials available on record.



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7.It is not in dispute that the petitioner was holding the Full Additional Charge in respect of the post of Labour Welfare Officer for the period from 10.02.2015 to 06.02.2020. The affidavit filed by the petitioner itself makes it clear that both the post of Safety Officer and Labour Welfare Officer are coming under the control of the Chief Engineer and as per Ruling (5)(3) under Regulation 49 of TNEB Service Regulations, in cases where the additional post is subordinate to the regular post, additional pay is not permitted and hence the petitioner is not entitled to claim additional charge allowance and hence the impugned order warrants no interference.

8.The writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

2.01.2026

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Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No



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