



W.P.(MD)No.26198 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :06.02.2026

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THE HONOURABLE MR.JUSTICE K.SURENDER

W.P.(MD)No.26198 of 2025

and

WMP (MD) Nos.20417 and 20418 of 2025

Bharathiya Electricity Engineers Association
Represented by its Deputy General Secretary
R.B.R.Rajakumar

... Petitioner(s)

Vs.

1. The Chairman Cum Managing Director,
Tamil Nadu Power Distribution
Corporation Ltd., (TNPDC),
144, Anna Salai,
Chennai - 600 002.

2. The Principal Secretary to Government,
Energy Department,
Government of Tamil Nadu,
St.George Fort,
Chennai 600 009.

3. The Secretary,
Tamil Nadu Power Distribution
Corporation Ltd., (TNPDC),
144, Anna Salai,
Chennai - 600 002.



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4. The Chief Engineer Personnel,
Tamil Nadu Power Distribution
Corporation Ltd., (TNPDC),
144, Anna Salai,
Chennai - 600 002.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus calling for the records related to the impugned proceedings issued by the 1st and 3rd respondents vide (PER) CMD TNPDC PROCEEDINGS NO.68 (SECRETARIAT BRANCH), DATED 11.03.2025, and LETTER NO. 37863/A16/A161/2023-1, DATED 18.07.2025 and quash the same, as far as non-inclusion of the petitioner Association is concerned and further direct the first and third respondent to include the name of the petitioner Association for the Wage revision bilateral discussion by duty considering the representation submitted by the petitioner Association dated 17.03.2025 and 19.07.2025.

For Petitioner :Mr. R.Muralikrishnan

For Respondents : Mr.Ajmal Khan
Additional Advocate General
Assisted by Mr.B.Ramanathan for R1, R3, R4
Standing Counsel for TNEB
for RMr.S.Kameswaran
Government Advocate for R2



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ORDER

Challenging the impugned proceedings dated 11.03.2025 and 18.07.2025 issued by the respondents 1 and 3, the present writ petition has been filed by the petitioner seeking a direction to respondents 1 and 3 to include the name of the petitioner Association in the wage revision bilateral discussions, by duly considering the representations submitted by the petitioner Association dated 17.03.2025 and 19.07.2025.

2. The learned counsel for the petitioner submitted that the petitioner association is a registered trade union. The Government of Tamil Nadu, vide G.O. (Ms) No.100 dated 19.10.2010, approved the reorganisation and restructuring of the Tamil Nadu Electricity Board (TNEB) and issued the Transfer Scheme, 2010, in accordance with the provisions of the Electricity Act, 2003. Pursuant thereto, the TNEB was dissolved and three entities were formed, namely, (i) Tamil Nadu Generation and Distribution Corporation Limited, (ii) Tamil Nadu Transmission Corporation Limited, and (iii) Tamil Nadu Electricity Board Limited as the holding company. After prolonged deliberations, the respondent Management agreed to enter into such a tripartite



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agreement and accordingly, unions/associations eligible for negotiations under (Per) B.P. No.247 (SB) dated 17.10.2007 were included as the third party. The petitioner association, along with other unions made representations seeking inclusion as parties to the tripartite agreement. Accepting the same, the respondents included the petitioner association as one of the third parties and the tripartite agreement was signed on 12.02.2024.

3. The grievance of the petitioner is that, although the third respondent issued a letter calling upon all unions and associations for bipartite negotiations scheduled on 24.07.2025, with reference to the proceedings dated 11.03.2025, the petitioner association was not invited to participate in the said discussions. Aggrieved by such exclusion, the petitioner association submitted a representation dated 19.07.2025 requesting the Management to include its name in the invitation for bipartite negotiations. As no action was taken on the said representation, the petitioner association approached this Court by filing W.P.(MD) No. 5379 of 2025, wherein this Court directed the respondents to permit the petitioner association to participate in the negotiation process initiated pursuant to the letter dated 17.02.2025. Despite the aforesaid direction of



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this Court, the respondents have continued to exclude the petitioner association from the wage revision bipartite discussions. Aggrieved by the same, the present writ petition has been filed.

4. Per contra, learned Additional Advocate General appearing on behalf of the respondents contended that the petitioner association is not a recognized trade union and therefore, it is not entitled to participate in the wage negotiation. It was submitted that since the petitioner association does not have the requisite minimum strength of 20 members, it cannot be treated as a recognized trade union. Consequently, the petitioner association cannot be permitted to participate in the wage negotiation scheduled to be held on 07.02.2026. The learned Additional Advocate General further submitted that the petitioner association is only a subsidiary association and has a parent association, which is already slated to participate in the forthcoming wage negotiation. If the petitioner association is also permitted to participate, every association would stake a claim for participation, thereby making it difficult for the Management to arrive at a conclusion in the wage negotiation process.



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5. Heard the learned counsel for the petitioner and the learned Additional Advocate General appearing on behalf of respondents.

6. Earlier, this Court, by an order dated 06.12.2025, passed the following orders:

“The learned counsel for the petitioner would submit that a meeting regarding revised pay wages is to be held at 2.30 p.m. today (16.12.2025). Though the petitioner was a party to the tripartite agreement dated 12.02.2024, the petitioner association was not called for to attend the said meeting.

2. On the other hand, the learned counsel for the respondents would submit that the petitioner's association is not recognized, however, the parent association, which is the Bharathiya Electricity Engineer's Sangam was called for to the meeting.

3. As seen from the tripartite agreement, the petitioner is shown at S.No.28. No prejudice would be caused if the General Secretary of the petitioner's Association participates in the meeting today, viz., Natarajan. Accordingly, he is permitted to attend meeting today. Post on 04.02.2026.”

7. By the aforesaid order, this Court had already permitted the petitioner association to take part in the meeting conducted on 16.12.2025. During the course of hearing, this Court specifically queried



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the respondents with regard to the signature of the petitioner association in the tripartite agreement. In response, the learned Additional Advocate General submitted that the petitioner association was allowed to sign the tripartite agreement by mistake and that such inclusion was inadvertent. Once the petitioner association was permitted to be a signatory to the tripartite agreement, the respondents cannot subsequently deny its participation in the wage negotiation without valid and cogent justification. Since the petitioner had participated in the earlier meeting, no prejudice would be caused to the respondents if the petitioner is allowed to participate in the wage negotiation. However, the participation of the petitioner shall be confined to the extent that the petitioner association may submit its suggestions or opinions in writing during the meeting. This Court is inclined to permit the petitioner's participation solely on the ground that the petitioner association is a signatory to the tripartite agreement. Therefore, the impugned proceedings are liable to be set aside and accordingly, the proceedings issued by the the respondents 1 and 3 dated 11.03.2025 and 18.07.2025, are hereby set aside. It is made clear that this order shall not enure to the benefit of any other association on the ground of parity, unless such a claim is independently considered and decided by this Court.



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8. Accordingly, the writ petition stands disposed of. No costs.

Consequently, the connected miscellaneous petitions are closed.

(K.SURENDER, J)
06.02.2026

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

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