



W.P.No.22254 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 26.11.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.22254 of 2024

S.Rajesh

... Petitioner

Vs.

1.TAMILNADU GENERATION AND DISTRIBUTION CORPORATION,  
REP BY ITS CHAIRMAN CUM MANAGING DIRECTOR,  
6TH FLOOR, TANTRANSCO BUILDING,  
144, ANNA SALAI, CHENNAI-600 002

2.THE CHIEF ENGINEER(PERSONNEL),  
NPKRR MAALIGAI, ANNA SALAI, CHENNAI-600 002

3.THE SUPERINTENDING ENGINEER,  
PURCHASE AND ADMINISTRATION, NORTH CHENNAI  
THERMAL POWER STATION-II,  
CHENNAI-600 120

... Respondents

PRAYER:

Writ Petition is filed under Article 226 of Constitution of India  
praying to issue a Writ of Certiorarified Mandamus calling for the records  
in connection with the impugned orders bearing (Per)(FB)TANGEDCO  
proceedings No.22, dated 14.12.2022 issued by the 2nd respondent and  
the memos bearing Memo.No.023290/G.64/G.641/2015 dated 14.12.2022



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issued by the 2nd respondent and Memo No.896-1/SE/P&A /

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SAO/Adm.III/A.1/F.FA(T)/2023 dated 6.1.2023 issued by the 3rd respondent in so far as it prescribes the training period in the post of Helper (Trainee) on consolidated wages for a period of 3 years, from the date of appointment instead of 3 months as per Per(FB) TANGEDCO proceedings NO.5(Administrative Branch) dated 16.3.2018 in a discriminatory manner and the consequential rejection letter bearing Letter No.023290/G27/G271/2015 dated 3.7.2024 issued by the 3rd respondent, quash the same and further direct the respondents to declare the petitioner's regularization by way of appointing him in a regular time scale of pay with effect from 6.4.2023 i.e. on the date when the petitioner completed 3 months training in accordance with per(FB)TANGEDCO proceedings No.5 (Administrative Branch)dated 16.3.2018 with all monetary benefits including seniority and other attendant benefits

For Petitioner : Mr.V.Prakash,  
Senior Counsel  
Mr.K.Krishnamoorthy

For Respondents : Mr.David Sunder Singh,  
Standing Counsel



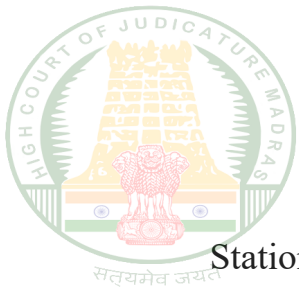
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## ORDER

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This writ petition has been filed challenging the order dated 14.12.2022 thereby rejecting the request made by the petitioner seeking time scale of pay after completion of three months from the date of his appointment.

2. The petitioner's family was misplaced on account of acquisition of agricultural land for the establishment of North Chennai Thermal Power Plant. The Government, as rehabilitative measure, passed order in GO.Ms.no.656 Labour and Employment Department dated 29.09.1978 which was subsequently adopted by the respondents in board proceedings No.3 Administrative Branch 25.01.1990 thereby ordering that one member in each family from whom lands were acquired, be appointed as Helper in relaxation of Rules relating to age and other requisites. However, the said relief was rejected for the petitioner and as such, the petitioner's father approached this Court in WP.No.4017 of 2015 and this Court by order dated 19.10.2016 directed to consider the case of the petitioner afresh as per the Board proceedings dated 25.01.1990. After filing contempt petition, the petitioner was appointed as Field Assistant (Trainee) and allotted to North Chennai Thermal Power



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Station-II as Helper (Trainee) on consolidated wages for a period of three

years. The petitioner submitted representation to regularise his service with effect from 06.04.2023 upon completion of three months training period. However, it was not considered and as such, the petitioner approached this Court in WP.No.34575 of 2025 and this Court directed the respondents to consider the representation submitted by the petitioner. However, the request made by the petitioner was rejected on the ground that the petitioner is not eligible to get appointment to the post of Field Assistant and as such as a special case he was appointed to the post of Field Assistant(Trainee) by relaxing his age and also educational qualification. Hence, he is not entitled for regularisation and he has to wait for three years.

3. However, as rightly pointed out by the learned Senior Counsel appearing for the petitioner, the rule has been amended by the permanent board proceedings No.56 (Adm Branch) dated 30.08.1994 thereby ordering that the training period of three years for Office Helper (Trainee) and Helper (Trainee) be reduced from three years to one year. Subsequently, the said rule was also amended by (FB)TANGEDCO proceedings No.5 (Administrative Branch) dated 16.03.2018 thereby

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ordering that as per the settlement arrived under Section 12(3) of

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Industrial Disputes Act, 1957 between the management and the Labourers Union that uniform training period of three months with time scale of pay shall be implemented for all new appointments / recruitment in initial level categories. Therefore though the petitioner was not eligible to be appointed under the category, when the members of the families misplaced due to acquisition of land for NCTPS-I Project, the petitioner was appointed by relaxing the age and also educational qualification as Field Assistant (Trainee) by order dated 06.01.2023 on consolidated wage at the rate of Rs.15,000/-, Rs.16,000/-, 17,000/- for the first, second and third years respectively. \_

4. In view of the above, the impugned order cannot be sustained and the same is liable to be set aside. Accordingly, the impugned order dated 14.12.2022 is set aside. The respondents are directed to regularise the petitioner's service after completion of three months from the date of his appointment i.e. 06.04.2023 and to grant regular time scale of pay with effect from 06.04.2023 and to disburse the same within a period of six weeks from the date of receipt of this order.



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5. With the above directions, this writ petition is allowed.

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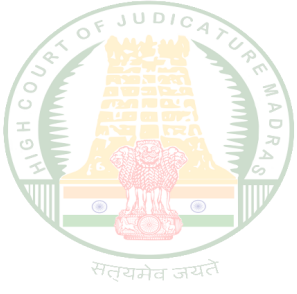
There shall be no order as to costs.

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Neutral citation: Yes/No

Index: Yes/No

Speaking/Non-speaking order  
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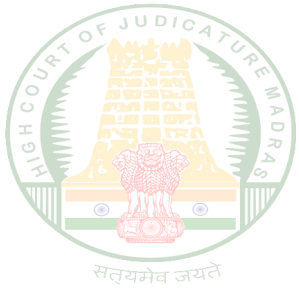
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To

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**G.K.ILANTHIRAIYAN, J.**

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