

(2001) 09 MAD CK 0006

In the Madras High Court

Case No : Writ Petition No. 19660 of 1998

S. Ravichandran

APPELLANT

Vs

Tamilnadu Electricity Board

RESPONDENT

Date of Decision : 03-09-2001

Acts Referred:

Citation : (2001) 09 MAD CK 0006

Hon'ble Judges : P.D. Dinakaran, J

Bench : Single Bench

Advocate : C. Selvarajau, for the Appellant; G. Anand Kumar, for the Respondent

Final Decision : Dismissed

Judgement

P.D. Dinakaran, J.—this Court by order dated 24.7.1992 in W.P. No. 13919 of 1991, accepting the case of the Petitioner that he was an

apprentice, directed the Respondent to appoint the Petitioner as Assistant Engineer on the basis of his apprenticeship and accordingly, the

Petitioner was appointed as Assistant Engineer with effect from 23.11.1992. However, claiming that he has completed his apprenticeship in the

year 1988 itself, the Petitioner seeks a writ of Mandamus to direct the Respondents to give appointment to the Petitioner as Assistant Engineer

(Mechanical) notionally from 1988 on the completion of apprenticeship training by including his name in this selection list of 1988 and confer all the

consequential benefits including revision of seniority in the cadre of Assistant Engineer.

2. In my considered opinion, even though the Petitioner had completed his apprenticeship in the year 1988, he moved this Court only in the year

1991 in W.P. No. 13919 of 1991 and sought for appointment on the basis of his

apprenticeship. In case the Petitioner was so particular, he should have sought the present relief in the W.P. No. 13919 of 1991 itself, but on the other hand, this Court directed the Respondent by order dated 24.7.1992 to appoint the Petitioner as Assistant Engineer only prospectively. That apart, the Apex Court in Civil Appeal Nos. 5255 to 5328 of 1990 held that the Apprentices have no right to be appointed in preference to other applicants and that all the applicants including the Apprentices are therefore, required to go through the process of selection provided under the Regulations.

3. In view of the above decision of the Apex Court in C.A. Nos. 5255 to 5328 of 1996, it may not be permissible for this Court to grant the relief as prayed for. Hence this writ petition fails and the same is therefore dismissed. No costs, Consequently, W.M.P. No. 29816 of 1998 is also dismissed.