

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

W.P.No.20162 of 2015

E.Venkatesan

... Petitioner

-Versus-

The Superintendent Engineer,
Tamilnadu Electricity General and
Distribution Corporation Limited,
Villupuram Electricity Distribution Circle,
Villupuram District.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India for the relief of issuance of Writ of Mandamus, directing the respondent to implement the order of the Labour Inspector, Villupuram, dated 30.03.2015 in Na.Ka.No.A/1611/2011 by considering the representation of the petitioner dated 15.05.2015.

For petitioner : Mr.G.B.Saravanabhavan

For Respondents : Mr.Fakkir Mohideen

ORDER

Considering the limited scope of the prayer, by consent, the writ petition itself is taken up for final disposal.

2. The petitioner claims that he had worked continuously for a period of more than 480 days in a period of twenty-four calendar months under the respondent herein. According to him, he is entitled to be made permanent as provided in Section 3 of the Tamil Nadu Industrial Establishments [Conferment of Permanent Status to Workmen] Act, 1981. Accordingly, the petitioner made an application and on receipt of the same, the competent authority under the said Act viz., the Inspector of Labour, Villupuram, issued a notice to the respondent calling for objections. The respondent corporation, accordingly, submitted a statement before the competent authority. Based on the same, the competent authority by his proceedings in Na.Ka.No.A/1611/2011 dated 15.05.2015 directed the respondent to grant permanent status to the petitioner. Thereafter, the petitioner made a representation to the

respondent in this regard. But, there was no response from the respondent. Hence, he is now before this court with this writ petition seeking to issue appropriate direction to the respondent to implement the order of the Inspector of Labour, Villupuram.

3. The learned counsel for the petitioner would, on instructions, during the course of hearing of this writ petition, submit that though the petitioner sought for a positive direction to the respondent to implement the order of the Inspector of Labour, Villupuram, the petitioner would be satisfied, if the representation submitted by him already is considered and appropriate order is passed.

4. Mr.Fakkir Mohideen, the learned standing counsel for the respondent corporation who takes notice for the respondent would be fair enough to state that the representation of the petitioner for conferment of permanent status would be considered on merits and in accordance with law within a time frame to be fixed by this court.

5. In view of the above submissions and on considering the nature of the relief sought for, without going into the merits of the claim made by the petitioner, this court directs the respondent to consider the representation of the petitioner dated 30.03.2015 on merits and in accordance with law and pass orders thereon within a period of eight weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

kmk

To

1.The Superintendent Engineer,
TANGEDCO Ltd.,
Villupuram Electricity Distribution Circle,
Villupuram District.

+1cc to Mr.M.Fakkir Mohideen, Advocate, S.R.No.34227

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RSI (CO)
CA(04/08/2015)