

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.09.2015

CORAM

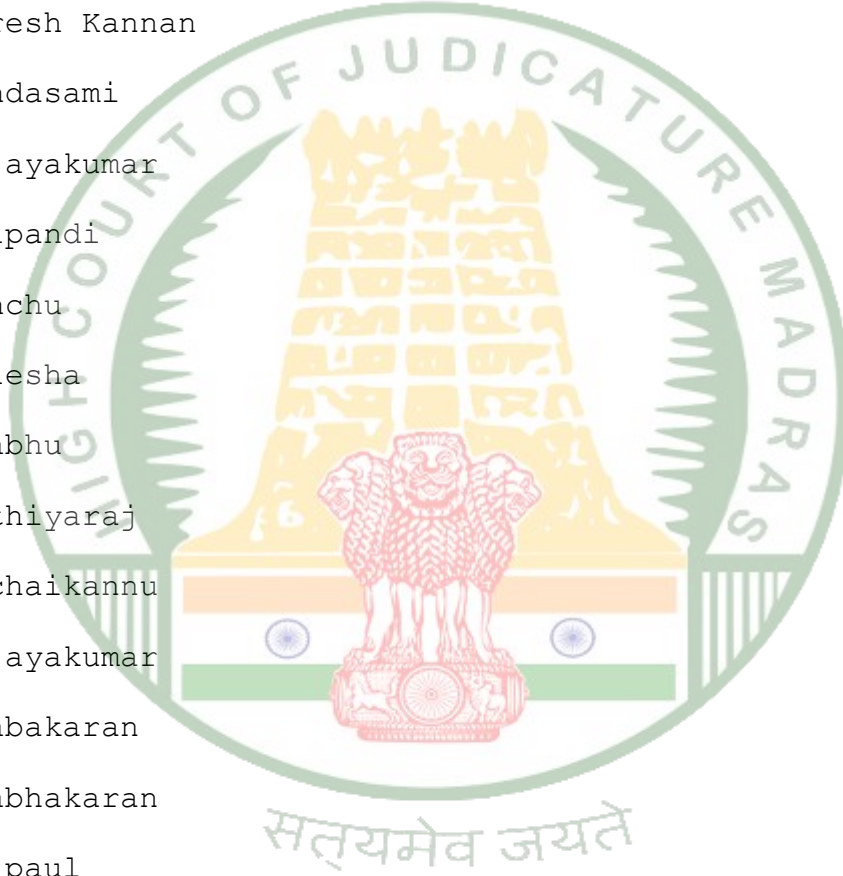
THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.27675/2015

and

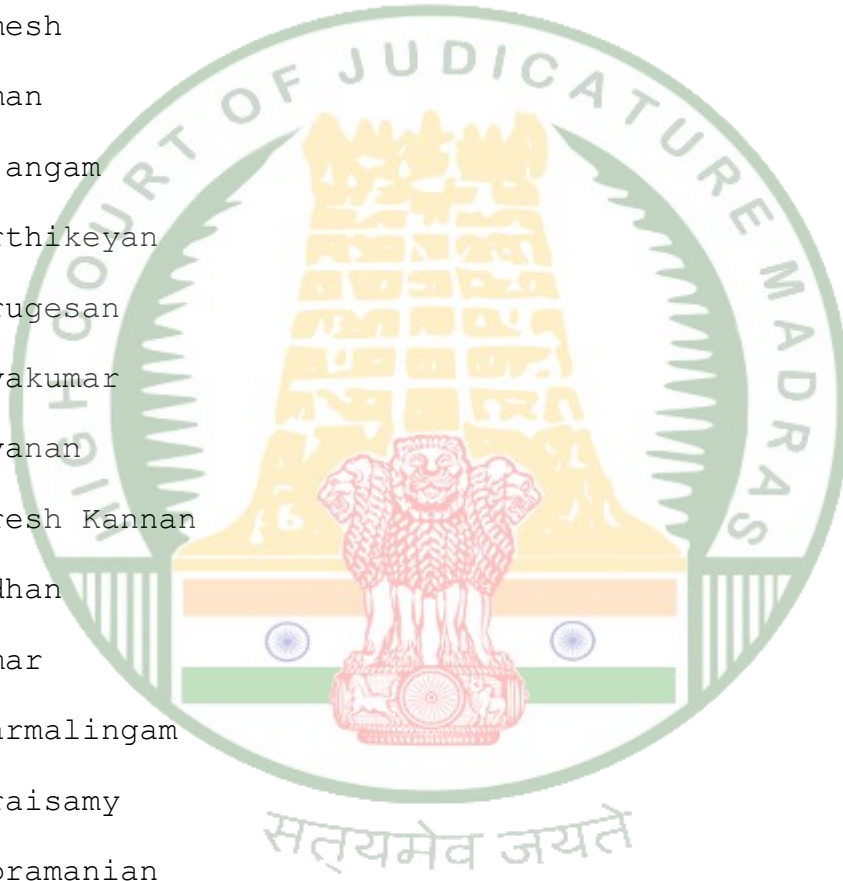
M.P.Nos.1 and 2 of 2015

1 A.Suresh Kannan
2 V.Kandasami
3 K.Vijayakumar
4 R.Palpandi
5 A.Panchu
6 N.Kalesha
7 T.Prabhu
8 V.Sathiyaraj
9 N.Pichaikannu
10 S.Vijayakumar
11 V.Prabakaran
12 N.Prabhakaran
13 J.Rajpaul
14 P.Swaminathan
15 E.Vennimalai
16 B.Sivakumar
17 R.Govindarajan
18 P.Ganesan



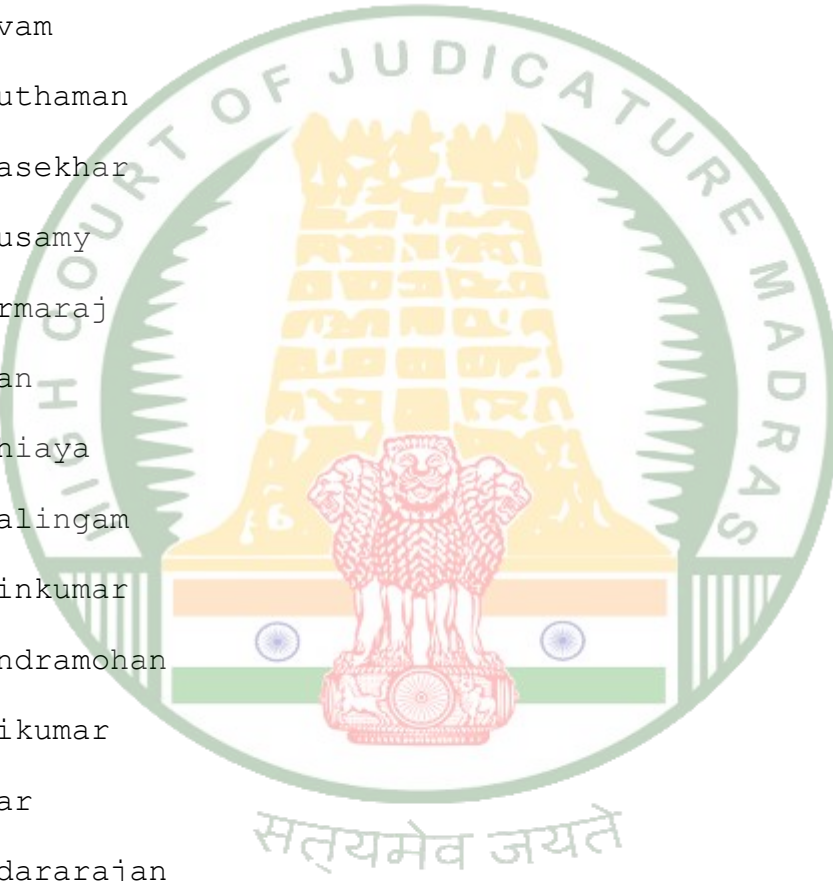
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19 R.Mohan
20 S.Santhosh
21 P.Tamilvel
22 U.Srinivasan
23 M.Balamurugan
24 B.Senthilkumar
25 G.Ramesh
26 M.Raman
27 M.Rajangam
28 M.Karthikeyan
29 P.Murugesan
30 P.Sivakumar
31 P.Ravanan
32 D.Suresh Kannan
33 R.Madhan
34 A.Kumar
35 V.Dharmalingam
36 P.Duraisamy
37 P.Subramanian
38 S.Siva
39 R.Murugan
40 C.Kanagaraj
41 P.Manikadan
42 P.Muruganatham



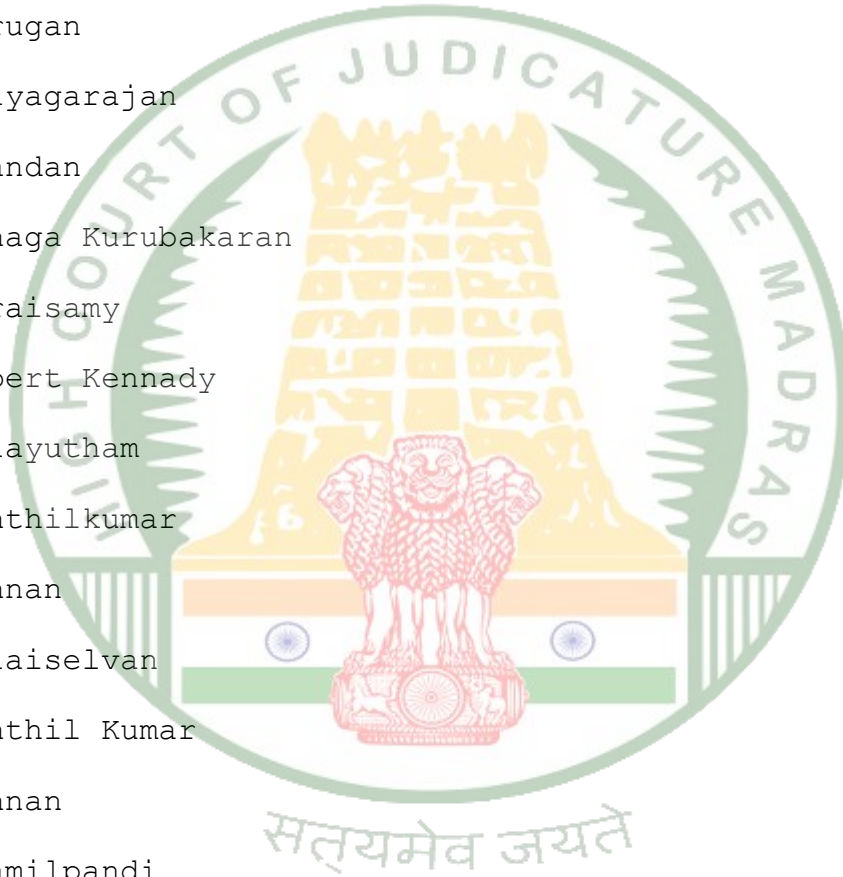
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- 43 R.Kesavan
44 S.Sivachandran
45 S.Kumaraguru
46 K.Verakumar
47 P.Selvam
48 M.Rajavel
49 P.Selvam
50 R.Gowuthaman
51 S.Gunasekhar
52 A.Angusamy
53 P.Dharmaraj
54 A.Rajan
55 R.Muthiaya
56 G.Ramalingam
57 R.Leninkumar
58 A.Chandramohan
59 D.Ravikumar
60 A.Sekar
61 M.Sundararajan
62 J.Balamurugan
63 F.Suba Chandra Bose
64 M.Ponmanam
65 G.Dhasarathan
66 T.Vinayagam



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67 M.Karthik
68 P.Balakrishnan
69 S.Selvaraj
70 P.Senthil Kumar
71 P.Karuppaya
72 S.Sridhar
73 K.Murugan
74 R.Thiyagarajan
75 T.Anandan
76 T.Kanaga Kurubakaran
77 P.Duraisamy
78 S.Robert Kennady
79 K.Velayutham
80 A.Senthilkumar
81 B.Kannan
82 A.Kalaiselvan
83 P.Senthil Kumar
84 R.Kannan
85 R.Thamilpandi
86 A.Velmurugan
87 J.Venkatesan
88 R.Singaravelan
89 D.Magamuni
90 C.Gopi



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91 S.Senthil Kumar

92 G.Kalaiarasan

93 T.Selvakumar

94 A.Periyasami

95 P.Manivel

96 V.Murugan

97 K.Saravanan

98 P.Yogeshkumar

99 A.Ranganathan

100 P.Ananadan

101 P.Ravi

102 M.Sakthivel S/o Ramukkalai

103 P.Pandi

104 P.Magudeeswaran

105 P.Raja

106 P.Senthilkumar

107 M.Selvaraj

108 P.Velmurugan

109 S.Syed Siddique

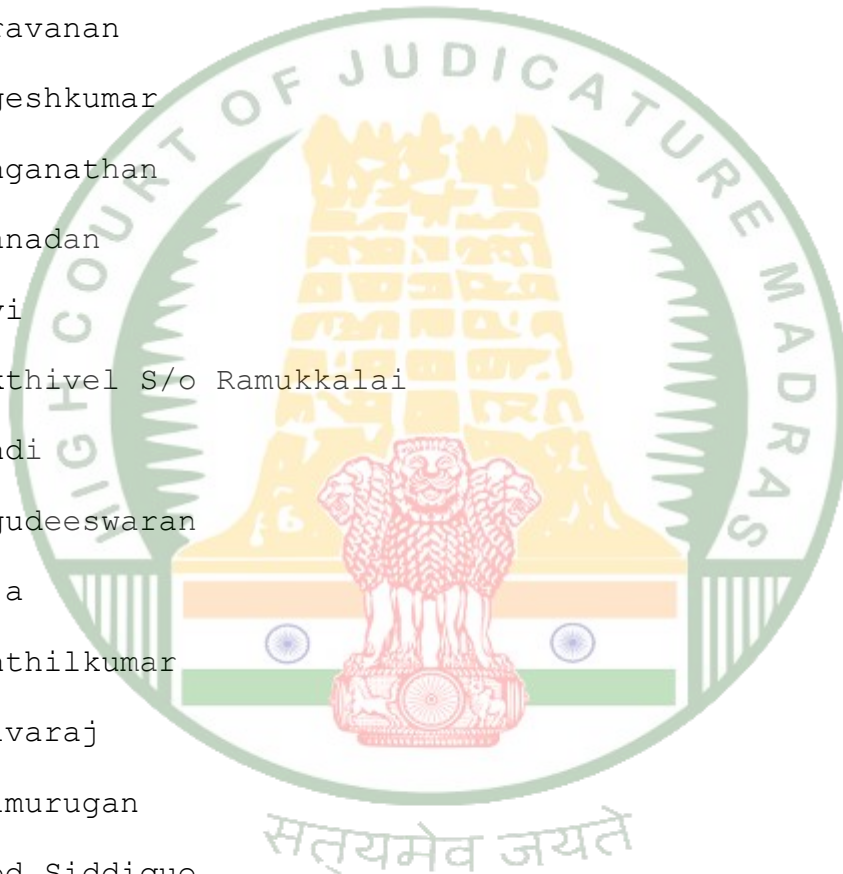
110 M.Savariyar

111 P.Innasimuthu

112 S.Raghuvaran

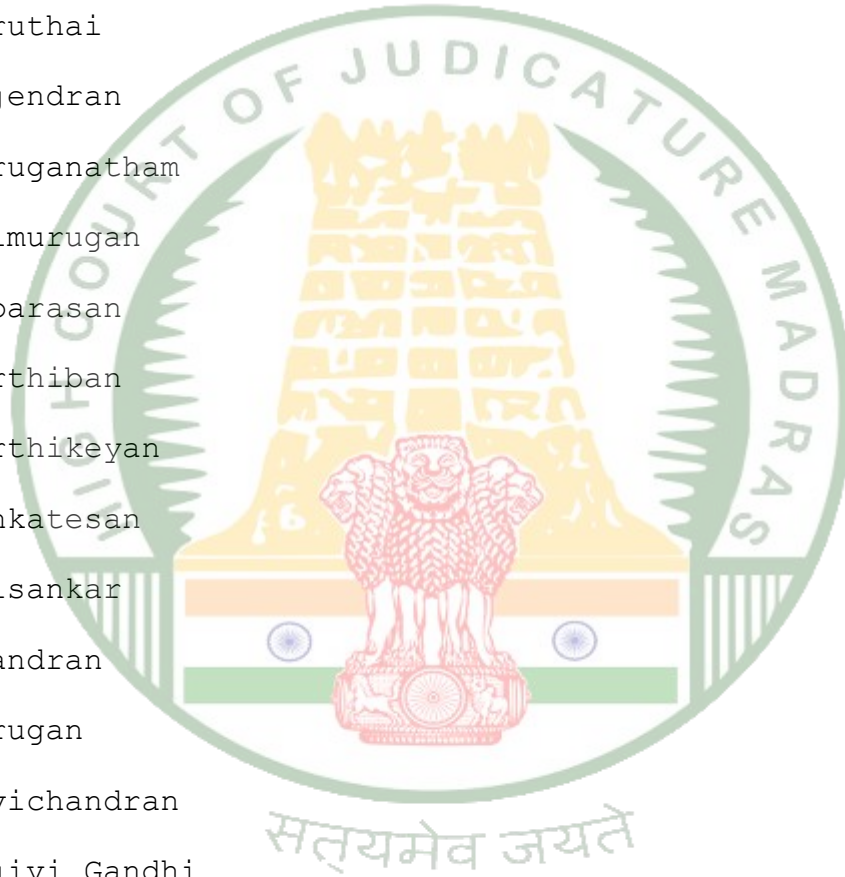
113 K.Jayakumar

114 N.Maharajan



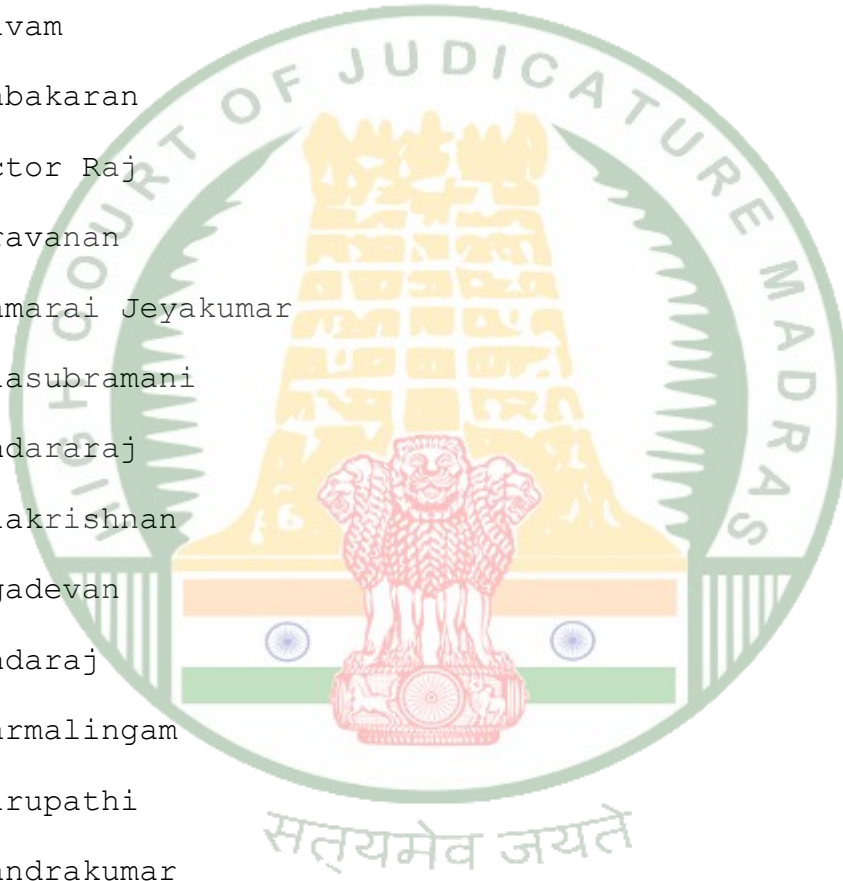
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115 K.Kumaresan
116 P.Vijayakumar
117 P.Prabhu
118 S.Manimaran
119 P.Kanakasabai
120 P.Meenakshisundaram
121 N.Maruthai
122 M.Rajendran
123 P.Muruganatham
124 G.Velmurugan
125 T.Anbarasan
126 S.Parthiban
127 S.Karthikeyan
128 G.Venkatesan
129 S.Jaisankar
130 M.Chandran
131 P.Murugan
132 A.Ravichandran
133 C.Rajivi Gandhi
134 A.Sakthivel
135 G.Mutthia
136 M.Deenadayalan
137 S.Parthiban
138 P.Palanivel



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139 A.Saravanan
140 B.Rameshkumar
141 P.Raja
142 M.Vasukumar
143 M.Marikannan
144 A.Kumaran Sathiyathan
145 R.Selvam
146 P.Prabakaran
147 C.Victor Raj
148 M.Saravanan
149 J.Thamarai Jeyakumar
150 V.Balasubramani
151 M.Sundararaj
152 T.Balakrishnan
153 M.Sagadevan
154 V.Sundaraj
155 P.Dharmalingam
156 M.Thirupathi
157 K.Chandrakumar
158 P.Saravanan
159 N.Dhanasekaran
160 K.Thameemun Ansari
161 R.Bharatha Selvan
162 D.Chakravarthy



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163 G.Srinivasamurthy

164 V.Suresh

165 R.Prabakaran

166 P.Sakthivel

167 P.Ganagaraj

168 R.Karuppusamy

169 S.Balamurugan

170 P.Vincent

171 P.Murugan

172 M.Mummurthy

173 A.Senthilkumar

174 S.Azhagar Raja

175 V.Elumalai

176 C.Sujikumar

177 S.Murugavadivel

178 R.Sathiskumar

179 P.Ganagaraj

180 R.Sivakumar

181 S.Sathiyaseelan

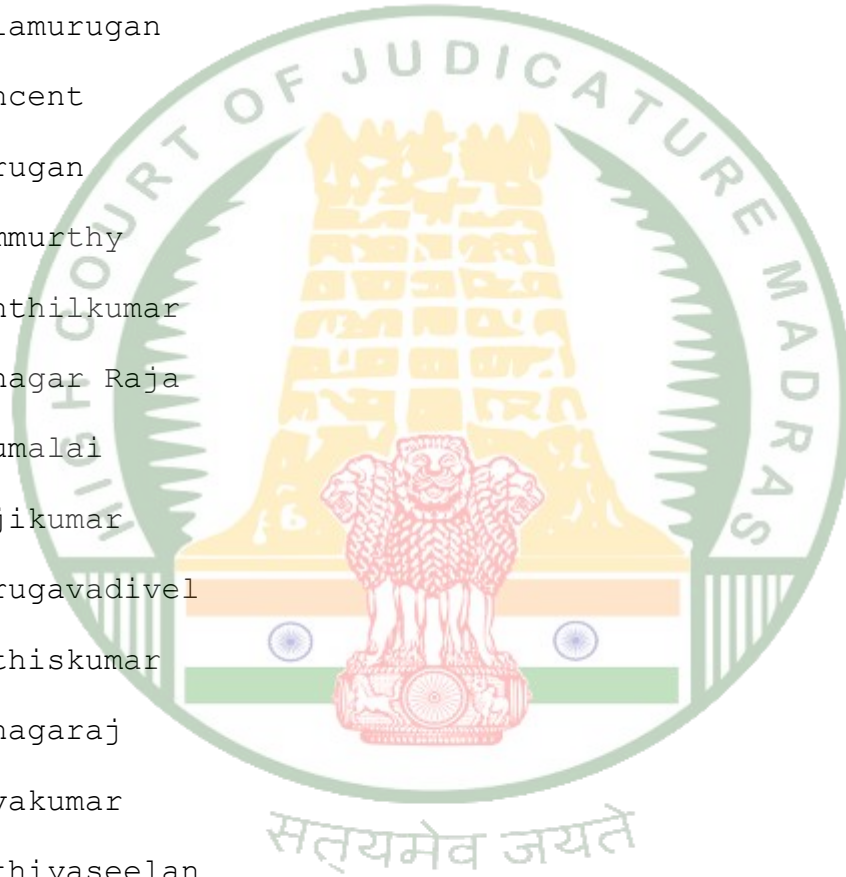
182 R.Maruthairaj

183 D.Kannadoss

184 R.Sivakumar

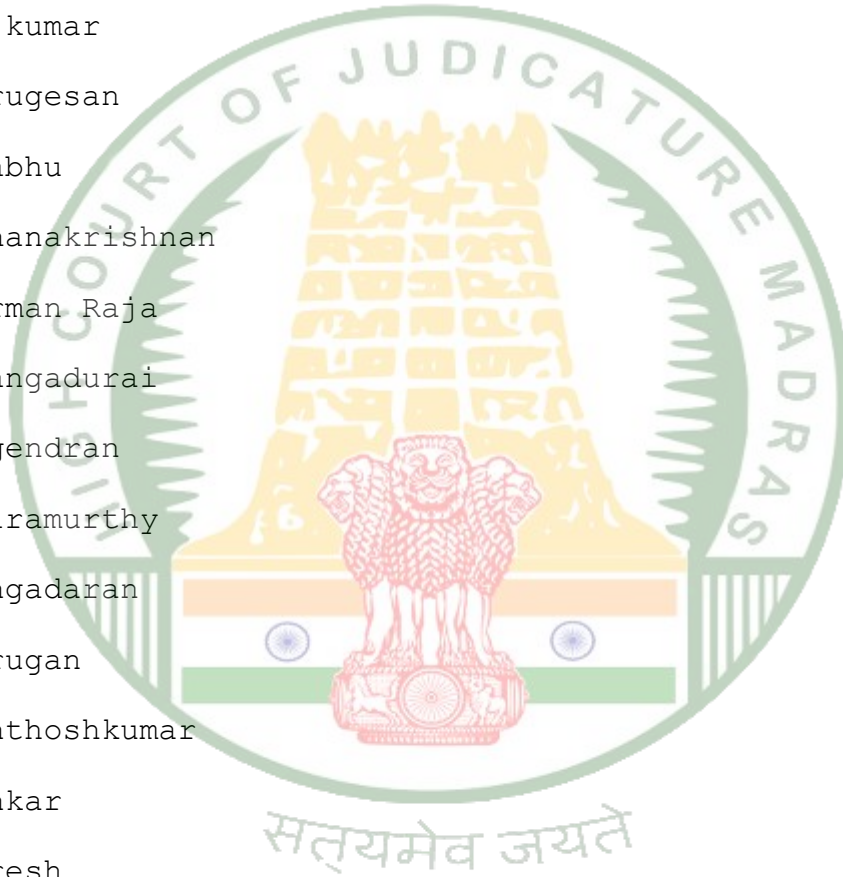
185 A.Paulraj

186 C.Palanichamy



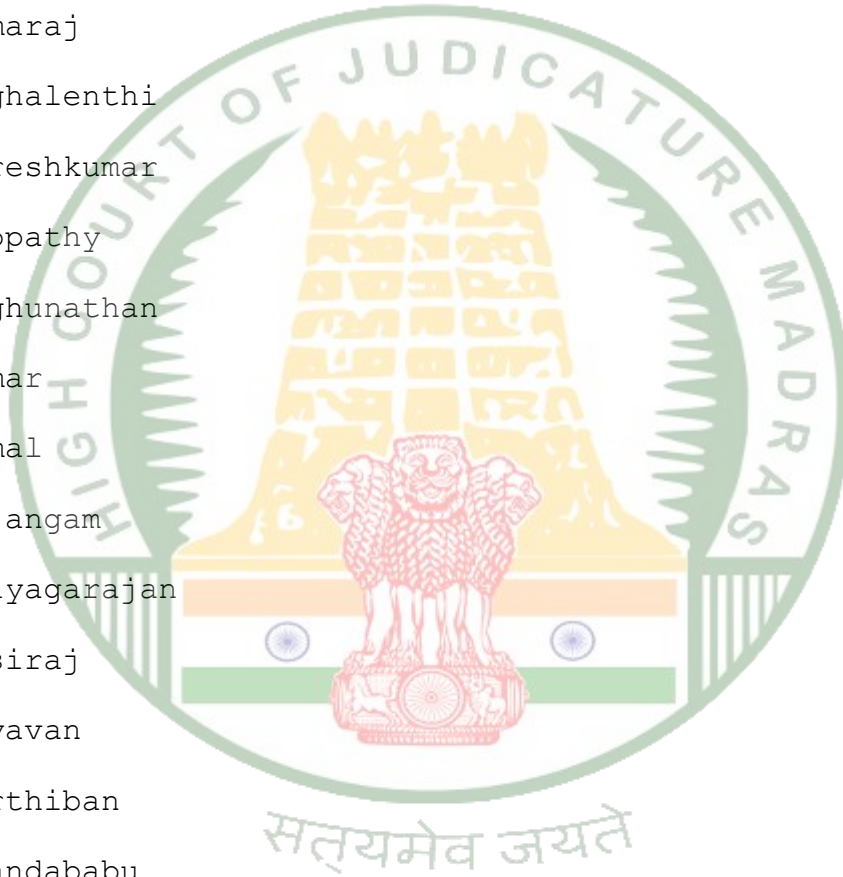
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187 S.Selvaraj
188 L.Murugaiya
189 P.Periyasamy
190 M.Ravi S/o.Muthusamy
191 P.Manokaran
192 M.Pandiyan
193 V.Rajkumar
194 S.Murugesan
195 S.Prabhu
196 S.Mohanakrishnan
197 A.Jerman Raja
198 V.Thangadurai
199 S.Nagendran
200 S.Vairamurthy
201 P.Gangadaran
202 E.Murugan
203 T.Santhoshkumar
204 P.Sankar
205 P.Suresh
206 K.Selvakani
207 T.Selvam
208 V.Vijayakumar
209 P.Ganesan
210 A.Kannan



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211 P.Manikandan
212 R.Chellaperumal
213 M.Ramachandran
214 G.Murugesan
215 P.Chandrasekaran
216 P.Kalayarasan
217 T.Kamaraj
218 K.Pughalenth
219 M.Sureshkumar
220 M.Boopathy
221 R.Raghunathan
222 P.Kumar
223 M.Vimal
224 K.Rajangam
225 G.Thiyagarajan
226 G.Sasiraj
227 K.Mayavan
228 P.Parthiban
229 R.Anandababu
230 A.Verarasu
231 A.Ramasamy
232 S.Palanichamy
233 M.Vasudevan
234 K.Saravanan



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235 L.Dominic David Raj

236 C.Mayilraj

237 C.Subramanian

238 M.Pandiyarajan

239 S.Ramakrishnan

240 V.Thambiyappa

241 C.Elangovan

242 M.Pradeepkumar

243 G.Rajendiran

244 K.Gunasekaran

245 P.Subramani

246 M.Nagaraj

247 M.Ravikumar

248 M.Karthick

249 T.Periyasami

250 P.Pandikumar

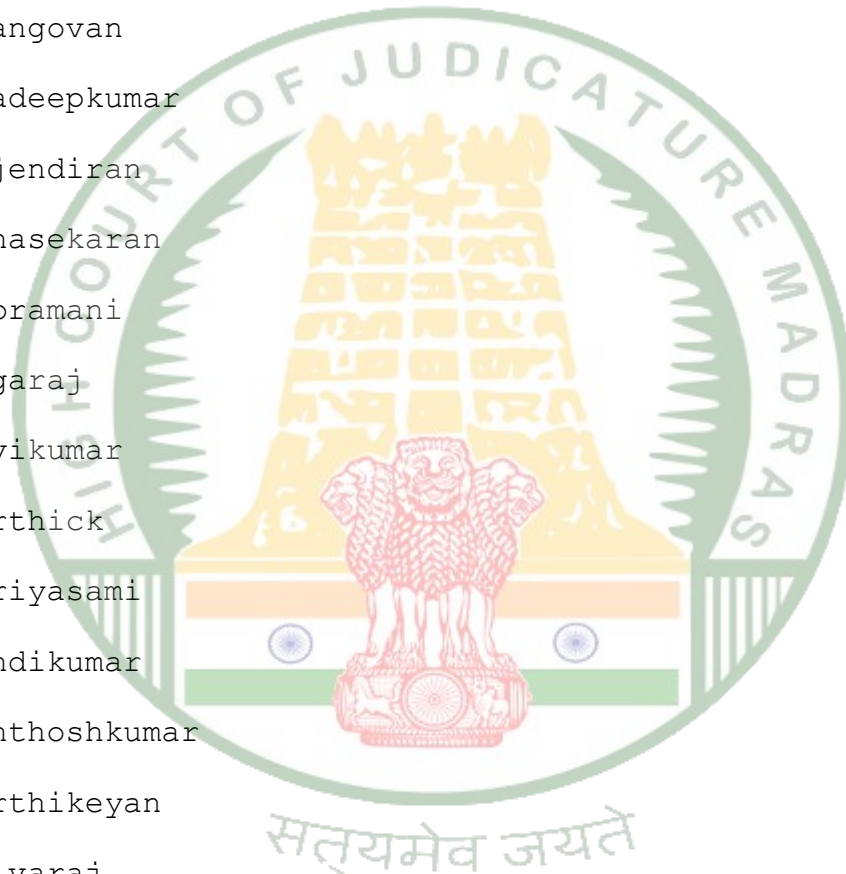
251 V.Santhoshkumar

252 P.Karthikeyan

253 A.Selvaraj

254 M.Kumar

255 A.Anbumani



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... Petitioners

Vs

1. The Secretary
Government of Tamilnadu
Department of Energy
St. George Fort Chennai-600 009

2. The Chairman
Tamilnadu Electricity Board
144 Anna Salai
Chennai-2
3. The Chief Engineer (Personal)
Tamilnadu Electricity Board
144 Anna Salai
Chennai-2
4. Superintending Engineer
TNEB (Metro) Trichy Electricity Distribution
Circle Mannarpuram Trichy

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to provide employment on daily wages basis for Rs.250/- per day based on the representation dated 2.7.2015.

For Petitioner : Mr.M.Kalyanasundaram Sr. counsel
for Mr.A.Swaminathan

For R1 : Mr.S.Gunasekaran Govt. Advocate
for Mr.A.Swaminathan

For R2 to R4 : Mr. R.Varalakshmi

ORDER

By consent, the writ petition is taken up for final disposal.

2. The Petitioners would state that they are contract workers working directly under the respondents 2 to 4 in various distribution circles for more than a decade continuously without any break and they have also been paid with ex-gratia payment on annual basis. The petitioners would further state that work done by them is regular and perennial in nature and they are all discharging the same duties and responsibilities as that of a regular workmen. The petitioners would also claim that services of very many contract workers, who were similarly placed, have been regularised by the respondents and they have also raised an industrial dispute in I.D.No.36 of 2007 under Section 2(k) of the Industrial Dispute Act 1947 on the file of Industrial Tribunal, Chennai and an exparte award was also passed on 09.3.2010 and the said award was implemented insofar as 23 persons are concerned and

however, the genuine claim of the petitioners is continued to be overlooked by the respondents and therefore, came forward to file this writ petition.

3. Mr.Kalyanasundaram, the learned Senior counsel for the petitioners has drawn the attention of this Court to the typed set of documents and would submit that since services of very many contractual employees have been regularised by the respondents by applying the principal of parity, petitioners are also entitled to regularisation and hence, prays for appropriate orders.

4. This Court heard the submissions of Mr.S.Gunasekaran, Government Advocate, who accepts notice on behalf of first respondent and Mrs. R.Varalakshmi who accepts notice on behalf of respondents 2 to 4.

5. Though the petitioners prayed for a larger relief, this Court in the light of the facts and circumstances, permits the petitioners to submit a joint representation to respondents 2 to 4 seeking for regularisation of their services, within a period of two weeks from the date of receipt of a copy of this order and respondents 3 and 4 on receipt of such representation are directed to consider the same on merits and in accordance with law and pass appropriate orders within a period of eight weeks, thereafter and communicate the decision taken, to the petitioners.

Writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

kua

To

1. The Secretary
Government of Tamilnadu
Department of Energy
St. George Fort Chennai-600 009
2. The Chairman
Tamilnadu Electricity Board
144 Anna Salai
Chennai-2

3. The Chief Engineer (Personal)
Tamilnadu Electricity Board
144 Anna Salai
Chennai-2
4. The Superintending Engineer
TNEB (Metro) Trichy Electricity Distribution
Circle Mannarpuram Trichy

+lcc to Mr.R.Varalakshmi, Advocate, S.R.No.47783
+lcc to M/s.A.Swaminathan, Advocate, S.R.No.47504
+lcc to the Government Pleader, S.R.No.48105

W.P.No.27675/2015

MSM(CO)
CA(10/09/2015)



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