

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

Writ Petition No.29791 of 2015

K.Rajagopal

... Petitioner

Vs.

- 1 The Tamil Nadu Electricity,
Generation and Distribution Corporation Ltd.,
(TANGEDCO) Rep. by its Chairman
No.144 Anna Salai, Chennai-600 002
- 2 The Cheif Engineer (Personnel),
The Tamil Nadu Electricity Generation and
Distribution Corporation Ltd. (TANGEDCO)
No.144 Anna Salai, Chennai-600 002
- 3 The Superintending Engineer,
The Tamil Nadu Electricity Generation and
Distribution Corporation Ltd. (TANGEDCO)
Trichy Metro, Mannarpuram, Kamaraj Arangam
Trichy
- 4 The Divisional Engineer,
The Tamil Nadu Electricity Generation and
Distribution Corporation Ltd. (TANGEDCO)
Srirangam Division, Trichy
- 5 The Assistant Engineer (West),
The Tamil Nadu Electricity Generation and
Distribution Corporation Ltd. (TANGEDCO)
Manachanallur West, Trichy District.
- 6 The Inspector of Labour,
Trichy District, Trichy-20

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing respondents 1 and 2 to implement the order of the 4th respondent in permanent status case 8238/99 dated 21.12.2000 passed under the provisions of the Tamil Nadu Industrial Establishment (Conferment of Permanent status to workmen) Act 1981 and consequently direct the respondents to absorb the petitioner in the 1st respondent i.e., The Tamil Nadu Electricity Generation and Distribution Corporation Ltd., (TANGEDCO) on permanent basis on the representation submitted by the petitioner dated 10.07.2014.

For Petitioner : Mr. K.Venkataramani, Sr. Counsel, for
Mr. M.Muthappan

For Respondents : Mrs. R.Varalakshmi, for R-1 to R-5,
Mr. V.Subbiah, Spl.G.P., for R-6

O R D E R

Mrs.R.Varalakshmi, learned standing counsel takes notice for respondents 1 to 5 and Mr. V.Subbiah, learned Special Government Pleader takes notice for the sixth respondent. By consent of the learned counsel for both sides, the writ petition is taken up for final disposal at the admission stage itself.

2. The grievance expressed by the petitioner is that inspite of the order passed by the sixth respondent in terms of the provisions of the Tamil Nadu Industrial Establishment (Conferment of Permanent status to workmen) Act 1981 (hereinafter will be referred to as "the Act") the respondents 1 to 5 have not regularized the services of the petitioner. In this regard, the petitioner has submitted a representation dated 10.07.2014 to the second respondent. Since no orders have been passed, the petitioner has come forward to file this writ petition.

3. The learned senior counsel appearing for the petitioner has drawn the attention of this Court to the order dated 30.05.2015 passed by the second respondent and submitted that in respect of the similarly placed persons, namely, Tvl.N.Subramanian, S.Durairaj, S.Velusamy, R.Vasudevan, R.Mayilvel, R.Thiruvengadam, R.Perumalsamy, S.Kalimuthu, C.Arjunan and B.Senthil, orders conferring permanent status (in terms of the further orders passed by this Court) have been implemented and therefore, prays for appropriate orders.

4. This Court heard the submissions of learned Standing counsel appearing for respondents 1 to 5 who would submit that most of the claims are bogus one and the matter is also under investigation and therefore, prays for dismissal of the writ petition.

5. Though the petitioner prayed for a larger relief, this Court in the light of the facts and circumstances of the case and without going into the merits of the claim projected either by the petitioner or by respondents 1 to 5, hereby directs the second respondent to consider and dispose of the petitioner's representation dated 10.07.2014 on merits and in accordance with law, after taking note of the order of the sixth respondent dated 21.12.2000 and pass orders within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner.

6. This writ petition is disposed of accordingly. No costs.

Sd/-

Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

srk

To

- 1 The Chairman
Tamil Nadu Electricity,
Generation and Distribution Corporation Ltd.,
(TANGEDCO)
No.144 Anna Salai, Chennai-600 002
- 2 The Cheif Engineer (Personnel),
The Tamil Nadu Electricity Generation and
Distribution Corporation Ltd. (TANGEDCO)
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- 3 The Superintending Engineer,
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The Tamil Nadu Electricity Generation and
Distribution Corporation Ltd. (TANGEDCO)
Manachanallur West, Trichy District.
- 6 The Inspector of Labour,
Trichy District, Trichy-20

1 cc to M/s. Varal;akshmi Advocate, sr. 51572
1 cc to Mr. Muthappan, Advocate, sr. 51620
1 cc to Government Pleader4, Sr. 51858

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MG (CO)
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