

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.10.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.32585 of 2015

And

M.P.No.1 of 2015

1.K.Panneerselvam
2.M.Thanigairaj
3.M.Shanmugam
4.C.Sasikumar
5.V.M.Saravana Kumar
6.S.Vijayan
7.R.Murugan
8.G.Mohanasundaram
9.D.Sakthivel
10.A.Duraisamy
11.P.S.Suresh Kumar
12.P.Mahendran

... Petitioners

Vs.

The Superintending Engineer
Thiruppur Electricity Distribution Circle
Tamil Nadu Generation and Distribution
Corporation Limited,
(Formerly known as Tamilnadu Electricity
Board), Thiruppur.

... Respondent

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to regularize the service of the petitioners by appointing the petitioners in permanent posts with all other attendant monetary and service benefits with effect from the date on which the petitioners completed 480 days of service in the Thiruppur Electricity Distribution Circle by implementing the order of the Inspector of Labour Thiruppur in Na.Ka.NO.E/ 4112/2012 dated 4.4.2014 passed under Section 5 r/w section 6(4) of Tamilnadu Industrial Establishments (Conferment of Permanent Status to Workmen) Act, 1981.

For Petitioner : Mr.V.Ajoy Khose
For Respondents : Mr.P.R.Dhilipkumar

O R D E R

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

2.The petitioners would claim that they were appointed as Casual Labourers to undertake various works within the Thiruppur and Electricity Distribution Circle such as digging pits, erection of electric poles, construction of transformers, loading and unloading of line materials etc. and the petitioners claim that they have completed 480 days of continuous service within a period of two years and they have also approached the authority constituted under the Tamil Nadu Industrial Establishment (Conferment of Permanent Status to Workmen) Act, 1981 and vide order dated 04.04.2014, the Inspector of Labour, Thiruppur who is the authority constituted under the said Act has passed an order directing the respondent to confer permanent status to the petitioners therein. The grievance expressed by the petitioners is that inspite of such an order passed by the statutory authority, the respondent is yet to obey the order and in this regard has also submitted a representation dated 03.08.2015 to the respondent and since no orders have been passed, came forward to file this writ petition.

3.Heard the submissions of Mr.V.Ajoy Khose, learned counsel appearing for the petitioners and Mr.P.R.Dhilipkumar, learned Standing Counsel who accepts notice on behalf of the respondent.

4.Though the petitioner prayed for the larger relief, this Court in the light of the above facts and circumstances, directs the respondent to consider and dispose of the petitioners representation dated 30.08.2015 on merits and in accordance with law after taking note of the order dated 04.04.2014 passed by the Inspector of Labour, Thiruppur 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 petitioners.

5.The writ petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is also closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

The Superintending Engineer
Thiruppur Electricity Distribution Circle
Tamil Nadu Generation and Distribution
Corporation Limited,
(Formerly known as Tamilnadu Electricity
Board), Thiruppur.

+1 cc to M/S.V.Ajay khose, Advocate sr.56205

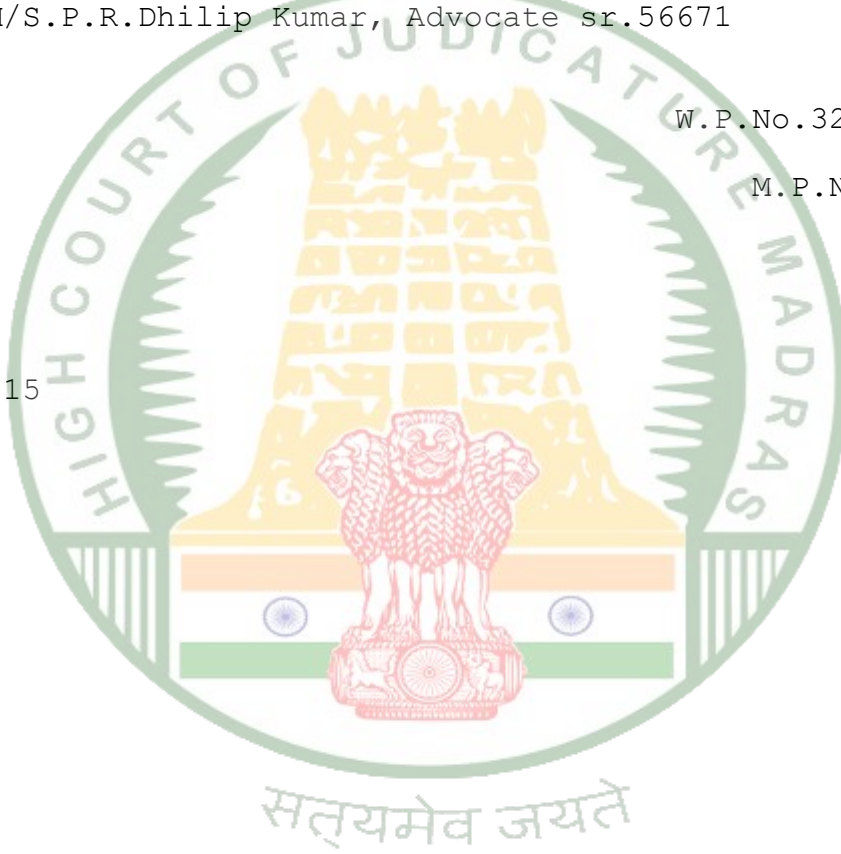
+1 cc to M/S.P.R.Dhilip Kumar, Advocate sr.56671

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