

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.01.2015

CORAM

THE HONOURABLE Mr. JUSTICE M.DURAI SWAMY

W.P.Nos. 21616 & 33315 of 2013

- 1.R.Kumaravel
- 2.D.Ganesan
- 3.K.Manimaran
- 4.A.Subramanian
- 5.M.Ramalingam
- 5.J.Vasudevan
- 7.G.Sampath
- 8.P.Thirumalai
- 9.R.Kumaraguru
- 10.V.Sivaraj
- 11.V.Sivamoorthy
- 12.P.Louien Albert

... Petitioners in W.P.No.21616/2013

- 1.K.Mayakannan
- 2.R.Devaraju
- 3.A.Durai
- 4.G.Kandeevan
- 5.V.Sureshkumar
- 6.S.Joseph Reegan
- 7.M.Kumar
- 8.P.Selvakrishnan
- 9.V.Palani
- 10.P.Elumalai
- 11.T.Sekkidiyan
- 12.P.Elumalai
- 13.S.Devaraj
- 14.M.Vivekanandan
- 15.M.Kolandaivel
- 16.V.Kannan
- 17.G.Subbaiyan
- 18.A.Sekar
- 19.M.Chandran
- 20.J.Xavier Jabaraj
- 21.M.Ramamoorthy
- 22.K.Muthu
- 23.G.Nagendran
- 24.G.Nagarajan
- 25.S.Sivasankaran
- 26.R.Radhakrishnan
- 27.G.Venkatesh
- 28.N.Saravanan
- 29.N.R.Palani
- 30.P.Perumal
- 31.G.Nagarathinam
- 32.N.Gunasekaran

33.S.Velmurugan
34.K.Selvam
35.S.Aswathraman
36.S.Parameswaran
37.R.Gandhi
38.S.Ramadoss
39.P.Auldoss
40.M.Venkatesan
41.R.Balu
42.A.Saravanan
43.K.Kalliappan
44.K.Venkatachalapathy
45.K.Seenivasan
46.R.Gubendiran
47.M.Kumar
48.K.Shankar
49.M.Ayyanar
50.A.Dhanakoltti
51.S.Shanmugasundaram
52.J.Muthusamy
53.T.Rajamanickam
54.E.Manivannan
55.C.Murugan
56.P.Tamilselvan
57.S.Palanivelu

. Petitioners in W.P.No.33315/2014

v.

1.The Chief Engineer, Personnel,
Tamil Nadu Generation and Distribution Corporation Ltd.,
No.144, Anna Salai,
Chennai - 600 002.

2.The Superintending Engineer,
Kallakurichi Electricity Distribution Circle,
Tamil Nadu Electricity Generation and
Distribution Corporation,
Kallakurichi,
Villupuram District.

.. Respondents 1 and 2 in both W.Ps

3.The Labour Officer,
Cuddalore.

.. 3rd Respondent in W.P.No.21616/2013
& 4th respondent in W.P.No.33315/2014

4.The Superintending Engineer,
Villupuram Electricity Distribution Circle,
Tamil Nadu Electricity Generation and
Distribution Corporation,
Villupuram,
Villupuram District.

.. 3rd Respondents in W.P.No.33315/2014

working particulars of 307 persons who were appointed as Mazdoors II on 25.10.2012 to the 3rd respondent and compare the same with the working particulars of the petitioners and engage them as Contract Workmen on need basis.

W.P.No. 33315 /2014 Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of mandamus directing the respondents 1 to 3 herein to furnish the original copies of the working particulars of 307 persons who were appointed as Mazdoors (Trainee) on 9.11.2012 to the 4th respondent and compare the same with the working particulars of the petitioners and engage them as Contract Workmen on need basis in respondents 1 to 3 Corporation.

For Petitioners : Mr.G.Ananda Kumar
For Respondents : Mr.M.Fakkir Mohideen

COMMON ORDER

The petitioners have filed the above writ petitions to issue a writ of mandamus directing the respondents 1 to 3 to furnish the original copies of the working particulars of the persons who were appointed as Mazdoors (Trainee) to the 4th respondent and compare the same with the working particulars of the petitioners and engage them as Contract Workmen on need basis in respondents 1 to 3 Corporation.

2. By consent of both the counsels, the writ petitions are taken up for final hearing.

3. When the matters are taken up for hearing, the learned counsel appearing for the petitioners submitted that the dispute was referred to the Labour Commissioner and on 16.04.2014, the Labour Officer filed his failure report.

4. When the remedy is available to the petitioners to approach the Labour Court, the present writ petitions are not maintainable.

5. In these circumstances, the petitioners are given liberty to approach the Labour Court in accordance with law. In view of the failure report of the Labour Officer dated 16.04.2014, the writ petitions are dismissed. However, there shall be no order as to costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Chief Engineer, Personnel,
Tamil Nadu Generation and Distribution Corporation Ltd.,
No.144, Anna Salai,
Chennai - 600 002.

2.The Superintending Engineer,
Kallakurichi Electricity Distribution Circle,
Tamil Nadu Electricity Generation and
Distribution Corporation,
Kallakurichi,
Villupuram District.

3.The Labour Officer,
Cuddalore.

4.The Superintending Engineer,
Villupuram Electricity Distribution Circle,
Tamil Nadu Electricity Generation and
Distribution Corporation,
Villupuram,
Villupuram District.

+ 2 ccs to Mr.M.Fakkir Mohideen, Advocate SR.2461 & 2462
+ 2 ccs to Mr.G.Ananda Kumar, Advocate SR.2472 & 2473

W.P.Nos. 21616 & 33315 of 2013

KJI (CO)
Eu 02.02.15

सत्यमेव जयते

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