

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.02.2015

CORAM

THE HONOURABLE Mr. JUSTICE M.DURAI SWAMY

W.P.No.5286 of 2015

J.Saravanan

... Petitioner

v.

1. The Superintending Engineer,
General Construction Circle ,
Tamil Nadu Electricity Board (TANTRANSCO)
Udayapatti, Salem 16.

2. The Chief Engineer(Personnel),
Tamil Nadu Electricity Board,
NPKRR Maligai,
8th Floor, East Wing,
144, Anna Salai,
Chennai 600 002

... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of mandamus, directing the respondents to dispose of the representation of the petitioner dated 09.10.2014 and 02.01.2015 and direct the respondents to implement the orders of the Inspector of Labour, Salem dated 22.10.2010 in Na.Ka.Aa. 3665/2008 by confirming the petitioner as regular employee of the respondents.

For Petitioner : Mr.S.Doraisamy

For Respondents : Mr.P.R.Dileep Kumar
Standing Counsel for TNEB

ORDER

The petitioner has filed the above writ petition to issue a writ of mandamus, directing the respondents to dispose of his representations dated 09.10.2014 and 02.01.2015 and further direct the respondents to implement the orders of the Inspector of Labour, Salem dated 22.10.2010 by confirming him as regular employee of the respondents.

2. According to the petitioner, he is working as Filled Helper in the respondent-Board. By an order dated 22.10.2010, the Inspector of Labour directed the first respondent to confirm the permanency to the petitioner and others, since they were working for more than 480 days in a period of two years. However, the respondents have not complied with the order passed by the Inspector of Labour. In these circumstances, on 19.7.2014, the first respondent passed an order in Memo, providing appointment to one Prabaharan and 5 others as temporary Casual Labourers. However, the petitioner was not provided employment. Further, similarly placed one Pongodi was appointed under the compassionate ground. According to the petitioner, except himself, others were given employment. Therefore, the petitioner gave representations to the respondents on 9.10.2014 and 2.1.2015. However, the respondents have not considered the representations yet.

3. Mr.P.R.Dileep Kumar, learned Standing Counsel takes notice for the respondents and submitted that the first respondent may be directed to consider and pass orders on the representations dated 9.10.2014 and 2.1.2015, given by the petitioner, within a stipulated time.

4. Having regard to the submissions made by the learned counsel on either side and also taking into consideration the limited prayer sought for in the writ petition, without expressing any opinion with regard to the merits of the case, I direct the first respondent to dispose of the representations dated 9.10.2014 and 2.1.2015 given by the petitioner, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

With this observation, the writ petition is disposed of. However, there shall be no order as to costs.

Sd/-
Asst. Registrar

/true copy/
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Sub Asst. Registrar.

Rj

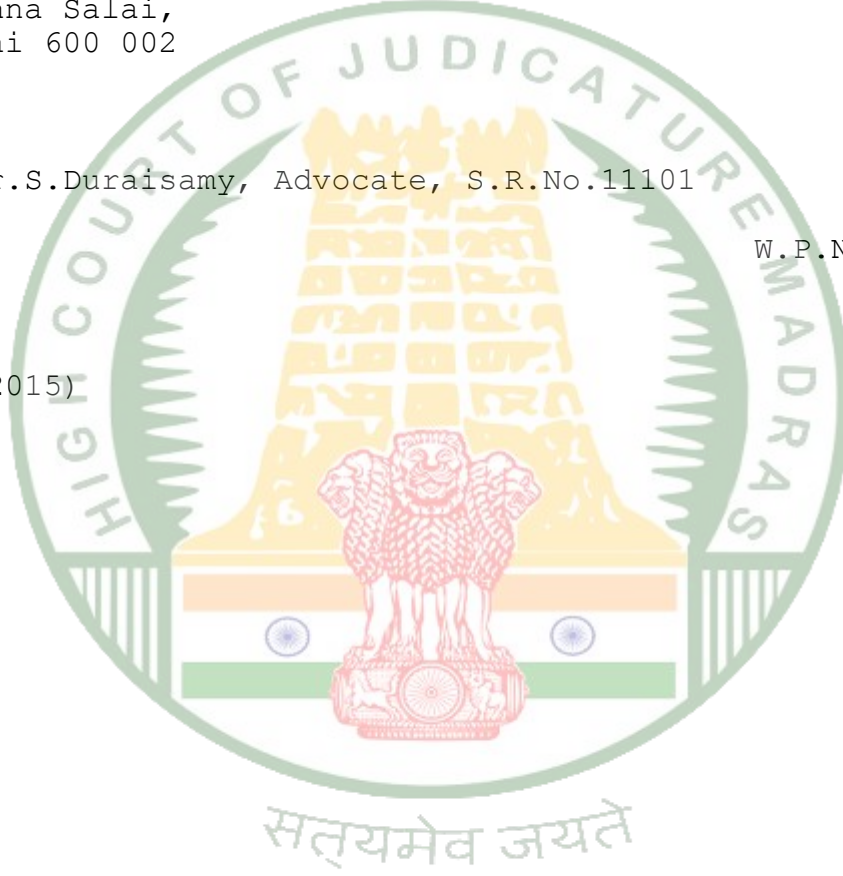
To

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+1cc to Mr.S.Duraisamy, Advocate, S.R.No.11101

W.P.No.5286 of 2015

MG(CO)
CA(04/03/2015)



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