

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.02.2015

CORAM

THE HONOURABLE Mr. JUSTICE M.DURAI SWAMY

W.P.No.858 of 2015 &
M.P.No.1 of 2015

S.Karventhan

.. Petitioner

vs.

- 1 The Tamil Nadu Electricity Generation and
Distribution Corporation Ltd. (TANGEDCO)
Rep. by its Chairman,
No.144 Anna Salai,
Chennai-2.
- 2 The Chief Engineer (Personnel)
TANGEDCO,
No.144, Anna Salai,
Chennai-600 002.
- 3 The Superintendent Engineer
TANGEDCO,
Dindigul District,
Dindigul.
- 4 The Inspector of Labour
Dindigul District, Dindigul.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of mandamus directing the respondents 1 & 2 to implement the order of the 4th Respondent in Permanent Status Case No.E/221/2004 dated 20.10.2004 passed under the provisions of Tamil Nadu Industrial and Establishments (Conferment of Permanent Status to Workmen) Act 1981 and consequently directing the respondents 1 to 2 to absorb the petitioner in the 1st respondent Corporation as Permanent Employee based on the representation submitted by the Petitioner dated 12.02.2014 with all consequential and other attendant benefits within a time frame to be fixed by this Honourable Court.

For Petitioner : Mr.G.Sankaran
For Respondents : Ms.Ra.Varalakshmi, Standing Counsel
- for R1 to R3
Mr.V.Subbiah,
Spl. Govt. Pleader - for R4

ORDER

The above writ petition has been filed by the petitioner to issue a writ of mandamus, directing the respondents 1 & 2 to implement the order of the 4th respondent in Permanent Status Case No.E/221/2004, dated 20.10.2004 passed under the provisions of Tamil Nadu Industrial and Establishments (Conferment of Permanent Status to Workmen) Act 1981 and consequently directing the respondents 1 to 2 to absorb the petitioner in the 1st respondent Corporation as Permanent Employee based on the representation submitted by him on 12.02.2014 with all consequential and other attendant benefits within a stipulated time.

2. It is the case of the petitioner that the petitioner had completed more than 480 days of service within a period of 24 calendar months, along with other similarly placed persons and through the workers union, placed all the materials to the Inspector of Labour, Dindigul, the 4th respondent herein. The 4th respondent, who is the competent authority, issued orders on 20.10.2004 for the conferment of Permanent Status to the petitioner and others. The fourth respondent in exercise of the powers under the provisions of the the Tamil Nadu Act 46 of 1981, passed orders for conferment of Permanent Status of the petitioner and others in the erstwhile Tamil Nadu Electricity Board and the others have been passed as early as during the year 2002 and 2004 and the respondent Electricity Board has not chosen to implement the same by absorbing the petitioner and others on permanent basis. In these circumstances, the petitioner gave a representation dated 12.02.2014 to the first respondent. According to the petitioner, the first respondent has not considered the representation yet. सत्यमेव जयते

3. Ms.Ra.Varalakshmi, learned Standing Counsel takes notice for the respondents 1 to 3 and submitted that the first respondent may be directed to consider and pass orders on the representation dated 12.02.2014, given by the petitioner, within a stipulated time.

4. The learned Counsel for the petitioner also submitted that it would be suffice to direct the first respondent to consider the representation of the petitioner dated 12.02.2014 and pass orders within the stipulated time.

5. 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 consider the petitioners' representation dated 12.02.2014, 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 these observations, the writ petition is disposed of. Consequently, connected miscellaneous petition is closed. However, there shall be no order as to costs.

Rj

-s/d-
Assistant Registrar()
Dt:5/2/2015

True Copy

Sub-Assistant Registrar

To

- 1 The Chairman,
Tamil Nadu Electricity Generation and
Distribution Corporation Ltd. (TANGEDCO)
No.144 Anna Salai,
Chennai-2.
- 2 The Chief Engineer (Personnel)
TANGEDCO,
No.144, Anna Salai,
Chennai-600 002.
- 3 The Superintendent Engineer
TANGEDCO,
Dindigul District,
Dindigul.
- 4 The Inspector of Labour
Dindigul District, Dindigul.

+ 1 cc to Mr.G.Sankaran, Advocate SR 5806

+ 1 cc to Mr.R.Varalakshmi, Advocate SR 5781

+ 1 cc to Government Pleader SR 5494

scd(co)

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prk5/2



सत्यमेव जयते

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