

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.06.2016

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

Cont.P.No.898 of 2016

1.A.Valarmani
2.A.Bose
3.N.Sadiyan
4.C.Irudyaraj
5.R.Elumalai
6.K.Chittarasu
7.E.Murugan
8.K.Sivakumar
9.G.Guna
10.B.Jagadeesan

.. Petitioners

Vs.

1.The Tamil Nadu Generation and
Distribution Company Ltd.,
Rep. by Managing Director,
Mr.Saikumar,
Anna Salai, Chennai-600 002.
2.The Superintendent Engineer,
Purchase and Distribution,
North Chennai Thermal Power Station,
Rep. by it Ramkumar
Chennai-600 120.

.. Respondents

Prayer: Contempt Petition filed under Section 11 of the Contempt of Courts Act to punish the respondent for having committed Civil Contempt by willful disobedience of the order of this Court in W.P.No.28536 of 2015 dated 10.09.2015.

For Petitioners : Mr.PL.Ravikumar

For Respondents : Mrs.R.Varalakshmi
Standing Counsel for TANGEDCO

O R D E R

Heard the submission of the learned counsel appearing for
<https://hcservices.ecourts.gov.in/hcservices/>
the petitioners and the learned Standing Counsel appearing for

the respondents/TANGEDCO, who would submit that the request made by the petitioners has been rejected by the Chief Engineer/Personnel, TANGEDCO, Chennai in Letter No.002246/19/G.58/G.581/2015-3 dated 01.06.2016 and it is relevant to extract the same:

- i) Based on certain criteria laid down by (Per.) B.P. (F.B.) No.17 (S.B.) dated 28.04.1999, the contract labourers who had worked for 480 days continuously in 24 calendar months as on 05.01.1998 and identified as on 05.01.1998 were absorbed and regularized based on seniority.
- ii) After completion of the process of eligible contract labourers absorption the contract labourer system was abolished with effect from 01.05.1999 in Thermal Power Stations.
- iii) The petitioners were engaged by the contractor under works contract for certain specific works executed in the North Chennai Thermal Power Station and their engagement as contract labour have come to an end by 31.08.1997 and not identified as on 05.01.1998.
- iv) Their non-engagement as contract labourer was not challenged.
- v) The same position holds good even for the subsequent period upto their date of absorption as Helper (i.e.) 24.12.2009.
- vi) They have not engaged as contract labour in any capacity of NCTPS after the year 1997 and they were appointed as regular workman only from 24.12.2009.
- vii) Hence, their claim for seniority refixation and pension benefits in their representation dated 03.12.2014 is rejected.

3) In view of the above, the Superintending Engineer/P&A/NCTPS-I is informed that the request of the Tvl.A.Valarmani and 9 others in their representation dated 03.12.2014 is not feasible of compliance".

The said proceedings is taken on file and recorded.

closed. However, the petitioners are at liberty to challenge the same in accordance with law before the competent forum.

Jvm

Sd/-

JOINT REGISTRAR(OS)

//Certified to be true copy//

Dated at Madras this the day of 2016.

COURT OFFICER(O.S.)

From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.

CO/15/07/2016

One CC to Mr.Sudalai Kannan, Advocate, Sr.No.6653/2016

One CC to Mrs.R.Varalakshmi, Advocate Sr.No.6676/2016

To

1.The Managing Director,
The Tamil Nadu Generation and
Distribution Company Ltd.,
Anna Salai, Chennai-600 002.

2.The Superintendent Engineer,
Purchase and Distribution,
North Chennai Thermal Power Station,
Chennai-600 120.