

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 29.04.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.Nos.16403 to 16410 of 2016

R.Xavier	...Petitioner in WP.16403 of 2016
R.Naresh	...Petitioner in WP.16404 of 2016
T.Yesurathnam	...Petitioner in WP.16405 of 2016
S.Sasila Jaba Mani	...Petitioner in WP.16406 of 2016
P.Parimala	...Petitioner in WP.16407 of 2016
R.Nathiya	...Petitioner in WP.16408 of 2016
P.Jayakumar	...Petitioner in WP.16409 of 2016
D.Amuthan	...Petitioner in WP.16410 of 2016

Versus

The Chairman,
Tamil Nadu Electricity Board (TANGEDCO),
Door No.144, Anna Salai, 8th Floor,
Chennai-600 002. ...Respondent in all WPs

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, to direct the respondent to consider the petitioner's representation dated 25.01.2016, 21.03.2016, 10.03.2016, 18.01.2016, 02.02.2016, 25.01.2016 & 22.03.2016 seeking the benefit of absorption as per B.P.(Chairman) No.9, Administrative Branch, dated 09.01.2008.

For Petitioner in : Mr.S.Ravi
all Writ Petitions

For Respondent in : Mrs.R.Varalakshmi
all Writ Petitions Standing Counsel

C O M M O N O R D E R

Heard Mr.S.Ravi, learned counsel appearing for the petitioners in all the Writ Petitions and Mrs.R.Varalakshmi, learned Standing Counsel, accepting notice on behalf of the respondent in all the Writ Petitions. With the consent of the learned counsel on either side, these Writ Petitions are taken up for final disposal.

2. The petitioners have filed the above Writ Petitions for issuance of Writs of Mandamus to consider their individual representations seeking the benefit of absorption as per B.P. (Chairman) No.9, Administrative Branch, dated 09.01.2008.

3. According to the petitioners, all of them completed 480 days of service in 24 months. Therefore, they seek for permanent absorption in the services of the respondent-Board.

4. The issue as to whether a particular employee has completed 480 days of continuous employment within a period of 24 months, is a factual issue and therefore, the same has to be agitated before the Forum provided under the various Labour Welfare Legislations.

5. Therefore, at this juncture, this Court is not inclined to grant Mandamus, as sought for. However, liberty is granted to the petitioners to approach the appropriate forum or competent Authority under the provisions of the Tamil Nadu Industrial Establishments (Conferment of Permanent Status to Workmen) Act, 1981.

With the above direction, these Writ Petitions are disposed of. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

r n s

To

The Chairman,
Tamil Nadu Electricity Board (TANGEDCO),
Door No.144, Anna Salai, 8th Floor,
Chennai-600 002.

+8cc's to Mr.S.Ravi, Advocate, S.R.Nos.27615 to 27624

W.P.Nos.16403 to 16410 of 2016

KS(CO)
CA(27/05/2016)