

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 29.04.2016

Coram

The Hon'ble Mr.Justice T.S.Sivagnanam

Writ Petition Nos.16855 to 16860 of 2016

T.Balasubramanian ...Petitioner in W.P.No.16855 of 2016
R. Srinivasan ...Petitioner in W.P.No.16856 of 2016
A. Rajendiran ...Petitioner in W.P.No.16857 of 2016
M. Rajendiran ...Petitioner in W.P.No.16858 of 2016
S. Selvaraj ...Petitioner in W.P.No.16859 of 2016
S. Rajendiran ...Petitioner in W.P.No.16860 of 2016

Vs.

1. The Tamil Nadu Electricity Generation and Distribution Corp. Ltd., (TANGEDCO) rep. by its Chairman, No.144, Anna Salai, Chennai - 600 002.
2. The Chief Engineer (Personnel) The Tamil Nadu Electricity Generation and Distribution Corp. Ltd., (TANGEDCO) No.144, Anna Salai, Chennai - 600 002.
3. The Superintending Engineer, Trichy Electricity Distribution Circle, Trichy Metro, Mannapuram, Trichy.
4. The Inspector of Labour, Trichy. ...Respondents in all WPS

Prayer in W.P.16855 to 16860 of 2016:- Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus, directing the respondents 1 and 2 to implement the order of the fourth respondent passed in the Claim Petition No.E/8238/1999, dated 21.12.2000, under the provisions of the Tamil Nadu Industrial Establishments (Conferment of Permanent Status to Workmen) Act 1981, and consequently, to direct the respondents to absorb the petitioner in the first respondent Board on permanent basis on the representation submitted by the petitioner on 02.03.2016.

For Petitioners : Mr.G.Kalaivanan
For Respondents 1 to 3 : Mrs.R.Varalakshmi
Standing Counsel
For Respondent-4 : Mr.Roofus Abraham
Government Advocate

COMMON O R D E R

Heard Mr.G.Kalaivanan, learned counsel appearing for petitioners, Mrs.R.Varalakshmi, learned Standing Counsel, accepting notice for respondents 1 to 3 and Mr.Roofus Abraham, learned Government Advocate accepting notice for fourth respondent. Since the issue involved in these Writ Petitions are identical in nature, with the consent of parties, the main Writ Petitions are taken up for final disposal at the stage of admission.

2. At the outset, the learned counsel appearing for petitioners would submit that the issue involved in these Writ Petitions is no longer res integra, as it is squarely covered by the earlier decision of this Court, in W.P.No.29791 of 2015, dated 22.09.2015, wherein, a prayer was sought for, which is exactly similar to the prayers sought for in the present Writ Petitions. The learned counsel has also produced a copy of the said order as a reference/proof to this Court, and submitted that in the light of the aforesaid order, the present Writ Petitions may also be disposed of, on the same lines, as the present cases also involve similar set of facts. At this stage, it would be beneficial to quote the operative portion of the earlier order, dated 22.09.2015, which reads as follows:-

"5. Though the petitioner prayed for a larger relief, this Court in the light of the facts and circumstances of the case and without going into the merits of the claim projected either by the petitioner or by respondents 1 to 5, hereby directs the second respondent to consider and dispose of the petitioner's representation dated 10.07.2014 on merits and in accordance with law, after taking note of the order of the sixth respondent dated 21.12.2000 and pass orders within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner.

6. This Writ Petition is disposed of accordingly. No costs"

3. Thus, in the light of the earlier order passed in W.P.No.29791 of 2015, dated 22.09.2015 (referred supra), the present Writ Petitions can also be disposed of on the same lines. Accordingly, these Writ Petitions are disposed of, by directing second respondent to consider and dispose of the petitioners' individual representation, dated 02.03.2016, on merits and in accordance with law, after taking note of the order of the fourth respondent dated 21.12.2000 and pass orders within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioners. No costs.

Sd/-

Asst.Registrar (CS VII)

/true copy/

Sub Asst. Registrar

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To

1. The Chairman
Tamil Nadu Electricity Generation and
Distribution Corp. Ltd., (TANGEDCO)
No.144, Anna Salai,
Chennai - 600 002.
2. The Chief Engineer (Personnel)
The Tamil Nadu Electricity Generation and
Distribution Corp. Ltd., (TANGEDCO)
No.144, Anna Salai,
Chennai - 600 002.
3. The Superintending Engineer,
Trichy Electricity Distribution Circle,
Trichy Metro, Mannapuram, Trichy.
- 4 The Inspector of Labour,
Trichy.

1 cc to Government Pleader, Sr. 27961

6 ccs to MR.G. Kalaivanan, Advocate, Sr. 27863

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to 16860 of 2016

KSJ (CO)

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