

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.01.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.40675 of 2015

G.Kanagaraj

...Petitioner

Vs

1. The Chairman,
Tamilnadu Generation and
Distribution Corporation Ltd.,
Tamilnadu Electricity Board,
No.144, Annasalai, NPKRR Maligai,
Chennai - 600 002

2. The Chief Engineer Personnel,
Tamilnadu Generation and
Distribution Corporation Ltd.,
Tamilnadu Electricity Board,
No.144, Annasalai, NPKRR Maligai,
Chennai - 600 002

3. The Superintending Engineer,
Tamilnadu Generation and
Distribution Corporation Ltd.,
Krishnagiri Distribution Circle
Krishnagiri District

...Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 to 3 to consider petitioner's last representation dated 30.09.2015 and direct the respondents to pass orders on merits within a time frame.

For Petitioner : Mr.SP.Srinivasan

For Respondents : Mr.M.Fakkir Mohideen

O R D E R

With the consent of both sides, the Writ Petition is taken up for final disposal.

2.The case of the petitioner is that he joined in the service of third respondent as Contract Labour on 01.01.1996. The engagement of contract labours for perennial nature of

work is very much prevalent in the Tamil Nadu Electricity Board. The petitioner has been working continuously for more than 480 days in two years and he is entitled to claim permanent status. Since it was not considered by the respondents, the petitioner approached the Inspector of Labour, Dharmapuri and filed case in E/36-14/2001. The Inspector of Labour, Dharmapuri issued a direction to the respondents on 16.04.2003 to give permanent status to the petitioner. However, only on 14.02.2011, the petitioner was issued with permanent appointment order as helper by the third respondent. Therefore, the petitioner made representation dated 30.09.2015 seeking regularisation of service from the date of the order of the Inspector of Labour, Dharmapuri. Since, it was not considered by the respondents, the petitioner filed the present writ petition.

3. Heard the submissions of Mr.SP.Srinivasan, learned counsel appearing for the petitioner and Mr.M.Fakkir Mohideen, learned counsel who accepts notice on behalf of the respondents.

4. This Court, taking into consideration the limited scope of prayer sought for by the petitioner and without going into the merits of the same, directs the respondents to consider the representation of the petitioner dated 30.09.2015 and pass orders on merits and in accordance with law, 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.

5. The Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy// सत्यमेव जयते

Sub Assistant Registrar

tsh

To

1. The Chairman,
Tamilnadu Generation and
Distribution Corporation Ltd.,
Tamilnadu Electricity Board,
No.144, Annasalai, NPKRR Maligai,
Chennai - 600 002

WEB COPY

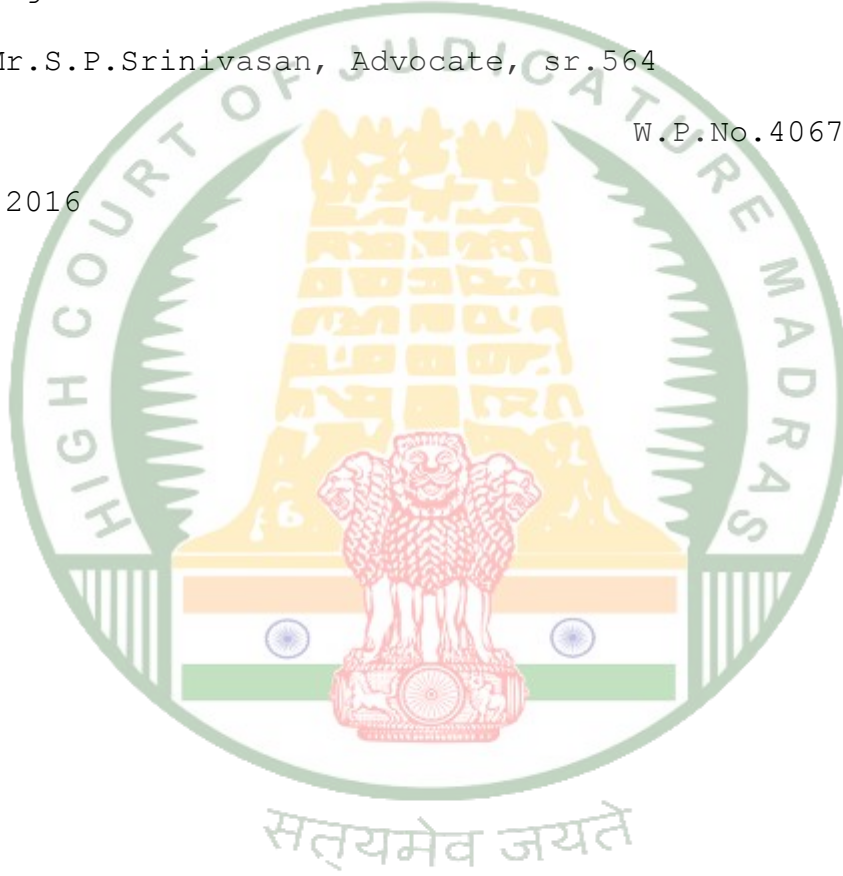
2. The Chief Engineer Personnel,
Tamilnadu Generation and
Distribution Corporation Ltd.,
Tamilnadu Electricity Board,
No.144, Annasalai, NPKRR Maligai,
Chennai - 600 002

3. The Superintending Engineer,
Tamilnadu Generation and
Distribution Corporation Ltd.,
Krishnagiri Distribution Circle
Krishnagiri District

+1 cc to Mr.S.P.Srinivasan, Advocate, sr.564

W.P.No.40675 of 2015

sv co
kra 27.01.2016



WEB COPY