

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 09.02.2016

Coram :

THE HONOURABLE MR. JUSTICE T.S. SIVAGNANAM

W.P.No. 4583 OF 2016 &
WMP No.3943 of 2016

1 L.Balakrishnan
2 M.Manikandan
3 P.Karthikeyan
4 G.Pon Gurusamy
5 R.Partiban
6 P.Sathiskumar
7 P.Sugumar
8 R.Rameshkumar
9 C.Lakshmanan
10 M.Anbalagan [PETITIONERS]

Vs

1 The Joint Director of Industrial
Safety and Health
Office of the Joint Director of Industrial
Safety and Health
Salem.
2 The Chief Engineer
TANGEDCO Ltd.
Mettur Thermal Power Plant-I
Mettur Dam, Salem District-636406.
3 The Superintending Engineer /
Operations / Manager
TANGEDCO Ltd.
Mettur Thermal Power Plant-I
Mettur Dam, Salem District-636406. [RESPONDENTS]

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus to direct the second respondent to implement the order of the 1st Respondent's proceedings No.A/4600/2011 dated 17.11.2015 relating to regularization of the petitioners service respectively.

For Petitioners : Mr.P.Saravanan
For Respondents : Mr.P.R.Dhilp Kumar
Standing Counsel

O R D E R

Heard Mr.P.Saravanan, learned counsel for the petitioners and Mr.P.R.Dhilp Kumar, learned Standing Counsel appearing for respondents and with the consent of the learned counsel appearing on either side, the Writ Petition is taken up for final disposal.

2.The petitioners have filed this Writ Petition for issuance of a writ of mandamus to direct the second respondent to implement the proceedings of the first respondent dated 17.11.2015 relating to their regularization of the service respectively.

3.Mr.P.R.Dhilp Kumar, learned Standing Counsel appearing for the respondents 2 & 3 submitted that the order passed by the authority is dated 17.11.2015, and it has to be ascertained as to whether any Appeal/Writ Petition has been filed against the same.

4.Therefore, at this juncture, this Court cannot issue any positive directions to the implement such order, since the Board has got a right to challenge the same in accordance with law. In any event, a representation has been given by the petitioners on 14.12.2015 and the same is pending consideration by the authorities.

5.Hence, without going into the merits of the petitioners claim, there will be a direction to the third respondent to consider the petitioners' representation dated 14.12.2015, on merits and in accordance with law, pass a speaking order and communicate the same to the petitioners, within a period of three weeks from the date of receipt of a copy of this order.

The Writ Petition is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(VI)

//True Copy//

Sub Assistant Registrar

rpa

To

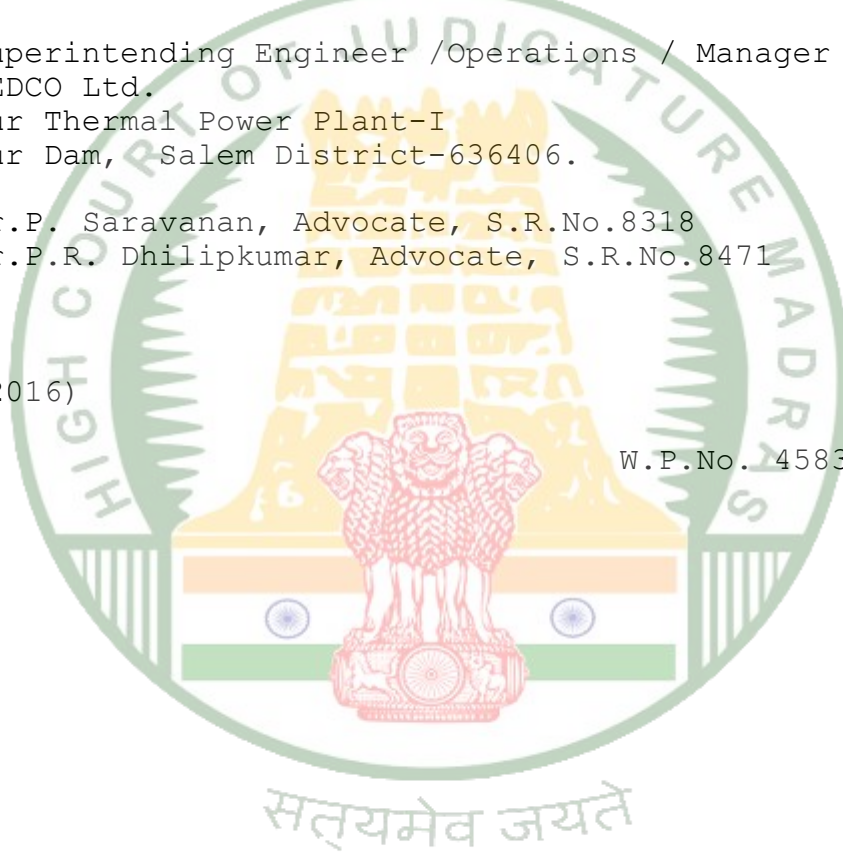
- 1 The Joint Director of Industrial Safety and Health
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+1cc to Mr.P. Saravanan, Advocate, S.R.No.8318

+1cc to Mr.P.R. Dhilipkumar, Advocate, S.R.No.8471

MSM(CO)
EU(19/02/2016)

W.P.No. 4583 OF 2016



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