



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.11.2016

CORAM:

**THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN
and**

THE HONOURABLE MRS. JUSTICE J.NISHA BANU

W.P. (MD) Nos.3449 to 3452 of 2015

W.P. (MD) No.3449 of 2015

S.Kandhasamy

.. Petitioner

Vs.

1.The Chairman,
Tamil Nadu Electricity Board,
800, Anna Salai,
Chennai-600 002.

2.The Chief Engineer, (Maintenance)
Tamil Nadu Electricity Board,
No.144, Anna Salai
Chennai-600 002.

3.The Superintending Enginner,
Karur Electricity Distribution Circle,
Tamil Nadu Electricity Board,
Karur, Karur District.

... Respondents

PRAYER: The Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to implement the order of the Inspector of Labour, Karur in his proceedings in C.P.Na.Ka.No.810 of 2008, dated 29.01.2010.

W.P. (MD) No.3450 of 2015

V.Annadurai

.. Petitioner

Vs.

1.The Chairman,
Tamil Nadu Electricity Board,
800, Anna Salai,
Chennai-600 002.

2.The Chief Engineer, (Maintenance)
Tamil Nadu Electricity Board,
No.144, Anna Salai
Chennai-600 002.



3.The Superintending Enginner,
Karur Electricity Distribution Circle,
Tamil Nadu Electricity Board,
Karur, Karur District.

... Respondents

PRAYER: The Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to implement the order of the Inspector of Labour, Karur in his proceedings in C.P.Na.Ka.No.822 of 2008, dated 29.01.2010.

W.P. (MD) No.3451 of 2015

M.Natarajan

.. Petitioner

Vs.

1.The Chairman,
Tamil Nadu Electricity Board,
800, Anna Salai,
Chennai-600 002.

2.The Chief Engineer, (Maintenance)
Tamil Nadu Electricity Board,
No.144, Anna Salai
Chennai-600 002.

3.The Superintending Enginner,
Karur Electricity Distribution Circle,
Tamil Nadu Electricity Board,
Karur, Karur District.

... Respondents

PRAYER: The Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to implement the order of the Inspector of Labour, Karur in his proceedings in C.P.Na.Ka.No.814 of 2008, dated 29.01.2010.

W.P. (MD) No.3452 of 2015

S.Bakkiyaraj

.. Petitioner

Vs.

1.The Chairman,
Tamil Nadu Electricity Board,
800, Anna Salai,
Chennai-600 002.

2.The Chief Engineer, (Maintenance)
Tamil Nadu Electricity Board,
No.144, Anna Salai
Chennai-600 002.



3. The Superintending Engineer,
Karur Electricity Distribution Circle,
Tamil Nadu Electricity Board,
Karur, Karur District.

... Respondents

PRAYER: The Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to implement the order of the Inspector of Labour, Karur in his proceedings in C.P.Na.Ka.No.818 of 2008, dated 29.01.2010.

For Petitioner
in all petitions :Mr.S.Gokul Raj

For Respondents :Mrs.S.Srimathy for Mr.S.M.S.Johny Basha
Standing Counsel for TNEB

COMMON ORDER

(Order of this Court was delivered by M.SATHYANARAYANAN, J.)

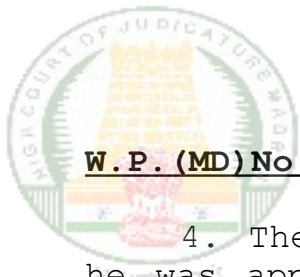
The matter in issue, which requires adjudication in these writ petitions, is one and the same and hence, these writ petitions are disposed of by a common order.

W.P. (MD) No.3449 of 2015:

2. The petitioner in W.P.(MD)No.3449 of 2015 would state that he was appointed as temporary employee under the third respondent and was deputed to do various works and despite completion of 480 days of continuous employment for 29 consecutive years, he has not been made permanent and therefore, he approached the Inspector of Labour, Karur in C.P.Na.Ka.No.810 of 2008 for conferring permanent status. Vide order dated 29.01.2010, the said authority has passed an order conferring with permanent status and despite repeatedly approached the respondents, the said order has not been implemented and hence, the petitioner has come forward to file this writ petition.

W.P. (MD) No.3450 of 2015:

3. The petitioner in W.P.(MD)No.3450 of 2015 would state that he was appointed as temporary employee under the third respondent and was deputed to do various works and despite completion of 480 days of continuous employment for 29 consecutive years, he has not been made permanent and therefore, he approached the Inspector of Labour, Karur in C.P.Na.Ka.No.822 of 2008 for conferring permanent status. Vide order dated 29.01.2010, the said authority has passed an order conferring with permanent status and despite repeatedly approached the respondents, the said order has not been implemented and hence, the petitioner has come forward to file this writ petition.

**W.P. (MD) No.3451 of 2015:**

4. The petitioner in W.P.(MD)No.3451 of 2015 would state that he was appointed as temporary employee under the third respondent and was deputed to do various works and despite completion of 480 days of continuous employment for 29 consecutive years, he has not been made permanent and therefore, he approached the Inspector of Labour, Karur in C.P.Na.Ka.No.814 of 2008 for conferring permanent status. Vide order dated 29.01.2010, the said authority has passed an order conferring with permanent status and despite repeatedly approached the respondents, the said order has not been implemented and hence, the petitioner has come forward to file this writ petition.

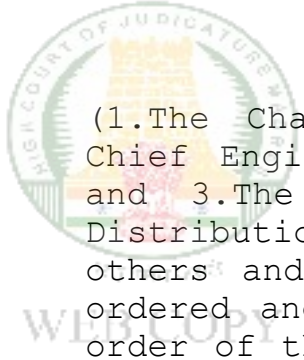
W.P. (MD) No.3452 of 2015:

5. The petitioner in W.P.(MD)No.3452 of 2015 would state that he was appointed as temporary employee under the third respondent and was deputed to do various works and despite completion of 480 days of continuous employment for 29 consecutive years, he has not been made permanent and therefore, he approached the Inspector of Labour, Karur in C.P.Na.Ka.No.818 of 2008 for conferring permanent status. Vide order dated 29.01.2010, the said authority has passed an order conferring with permanent status and despite repeatedly approached the respondents, the said order has not been implemented and hence, the petitioner has come forward to file this writ petition.

6. Mr.S.Gokul Raj, learned Counsel appearing for the writ petitioners would contend that the similar orders passed by the very same authority are put to challenge in very many writ petitions and in the writ appeals and W.P.(MD)Nos.150 to 155 of 2015, this Court by order dated 24.11.2016, disposed of all the writ petitions and therefore, prays for similar orders.

7. Per contra, Mrs.S.Srimathy learned Counsel appearing for the respondents/the Tamil Nadu Generation and Distribution Corporation Limited (in short "TANGEDCO"), has drawn the attention of this Court to the counter affidavit filed by the respondents 1 to 3 and would submit that the respondents 1 to 3 are seeking legal advice to sort out further course of action and would contend that the concerned Assistant Engineers who are not competent to issue certificates had also issued certificates and would further contend that the documents and the materials placed had not been properly appreciated by the Inspector of Labour, Karur and as such, the writ petitions cannot be ordered.

8. This Court, after considering the rival submissions, is of the considered view that the matter in issue is squarely covered by the order dated 24.11.2016 made in W.P.(MD)Nos.339 and 340 of 2015



(1.The Chairman, Tamil Nadu Electricity Board, Chennai-2; 2.The Chief Engineer (Personnel), Tamil Nadu Electricity Board, Chennai and 3.The Superintending Engineer, TANGEDCO, Karur Electricity Distribution Circle, Karur Vs. The Inspector of Labour, Karur and 38 others and 17 others) and therefore, all the writ petitions are ordered and the respondents 1 to 3 are directed to implement the order of the Inspector of Labour, Karur dated 29.01.2010 within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken to the respective writ petitioners. There shall be no order as to costs.

Sd/-

Assistant Registrar (CO)

/True copy/

Sub Assistant Registrar

To

1.The Chairman,

Tamil Nadu Electricity Board,
800, Anna Salai, Chennai-600 002.

2.The Chief Engineer, (Maintenance)

Tamil Nadu Electricity Board,
No.144, Anna Salai Chennai-600 002.

3.The Superintending Enginner,

Karur Electricity Distribution Circle,
Tamil Nadu Electricity Board, Karur, Karur District.

W.P. (MD) Nos.3449 to 3452 of 2015
24.11.2016

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