



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 02.12.2016
CORAM:

THE HONOURABLE DR.JUSTICE S.VIMALA

WEB COPY

W.P(MD)No.23290 of 2016

N.Neelakandapillai @ Neelakandan

: Petitioner

Vs.

1. The Tamil Nadu Civil Supplies Corporation Ltd.,
Rep. by its General Manager (Administration),
Chennai.
2. The Tamil Nadu Civil Supplies Corporation Ltd.,
Regional office, Konam, Nagercoil - 4,
Kanyakumari District.
3. The Inspector of Labour,
O/o.Inspector of Labour,
Water Tank Road, Nagercoil,
Kanyakumari District.

: Respondents

**(Cause title amended vide Order of Court dated 02.12.2016 on
made in W.P(MD)No.23290 of 2016)**

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the third respondent to complete the proceedings for giving permanent status on the petitioner's petition dated 27.09.2016.

For Petitioner	: Mr.N.Sivakumar
For Respondents 1&2	: Mr.D.Mayarajan
For R3	: No Appearance

O R D E R

This writ petition has been filed for issuance of a Writ of Mandamus, directing the third respondent to take steps to regularize the services of the petitioner and to grant permanent status in the light of the representation dated 01.09.2016 and statutory application, dated 27.09.2016.

2.Heard the learned counsel appearing for the petitioner and the learned counsel, who took notice for the respondents. By consent, the writ petition itself is taken up for final disposal.

3.The case of the petitioner is that the petitioner was orally appointed as a loadman in the year 2004 and thereafter, by the proceedings of the second respondent dated 08.12.2006, he was working on temporary basis for the last twelve years. He made several representations to the respondents 1 and 2 to regularize his service. As the same have not been considered, he sent a statutory application to the third respondent for passing



appropriate orders under the provisions of the Tamil Nadu Industrial Establishments (Confinement of Permanent Status to Workmen) Act, 1981. The said petition has also not been taken for adjudication. Therefore, this writ petition has been filed.

4. The learned counsel for the respondents would point out that the first respondent has been described improperly in the cause title and the correct description should be the Tamil Nadu Civil Supplies Corporation Limited, represented by the General Manager (Administration), Chennai. In view of the same, the description of the first respondent is ordered to be modified as the Tamil Nadu Civil Supplies Corporation Limited, represented by the General Manager (Administration), Chennai and the Registry is directed to carry out necessary amendment in the cause title.

5. The learned counsel for the petitioner would submit that the petitioner has sent a representation dated 01.09.2016 to the respondents 1 and 2 seeking regularization of his services by granting permanent status and he also sent a statutory petition to the third respondent and the same is pending consideration.

6. The third respondent is a quasi-judicial authority vested with jurisdiction to pass orders granting permanent status in respect of a workman who has completed 480 days of employment. When the petition has been filed, it is the duty of the third respondent to take up the case for enquiry and to pass orders. Therefore, the third respondent is directed to consider the statutory application filed by the petitioner dated 27.09.2016 and to 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.

7. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assitant Registrar(P&A)

/True copy/

Sub Assistant Registrar

To

1. The General Manager (Administration),
Tamil Nadu Civil Supplies Corporation Ltd., Chennai.
2. The Tamil Nadu Civil Supplies Corporation Ltd.,
Regional office, Konam, Nagercoil - 4,
Kanyakumari District.
3. The Inspector of Labour,
O/o. Inspector of Labour,
Water Tank Road, Nagercoil,
Kanyakumari District.

ORDER MADE IN
W.P(MD)No.23290 of 2016
02.12.2016