

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.11.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.MANIKUMAR
and

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.A.Nos.1586 and 1587 of 2017

C.M.P.Nos.20792 and 20793 of 2017

TNCSC Employees Union

Regn No.325/CPT

Affiliated with Labour Progressive Federation

Represented by its State President

No.42, Thambusamy Road

Kilpauk, Chennai.

.. Appellant in both WAs.

Vs.

1.Tamil Nadu Civil Supplies Corporation

Represented by its Managing Director

No.42, Thambusamy Road,

Kilpauk, Chennai - 600 010.

2.The Senior Regional Manager

Tamil Nadu Civil Supplies Corporation

Satchidananda Moopanar Road,

Near Membalam,

Thanjavur-613 001.

3.The Senior Regional Manager

Tamil Nadu Civil Supplies Corporation

Master Plan Complex,

Collectorate,

Nagapattinam-611 001.

4.The Senior Regional Manager

Tamil Nadu Civil Supplies Corporation

Mannargudi Road,

Velamal,

Thiruvarur-610 001.

5.The Senior Regional Manager Chennai (North)

Tamil Nadu Civil Supplies Corporation

No.7, Conrsmith Road,

Gopalapuram,

Chennai-600 086.

6.The Senior Regional Manager

Tamil Nadu Civil Supplies Corporation

Goundampalayam,

Coimbatore-641 030.

- 7.The Regional Manager Chennai (South)
Tamil Nadu Civil Supplies Corporation
No.7, Conronsmith Road,
Gopalapuram, Chennai-600 086.
- 8.The Regional Manager
Tamil Nadu Civil Supplies Corporation
Raghavan Commercial Compled,
2nd floor,
36 Vellala Street, Ariyalur-621 704.
- 9.The Regional Manager
Tamil Nadu Civil Supplies Corporation
Nellikuppam Road,
Semmandalam,
Cuddalore-607 001.
- 10.The Regional Manager
Tamil Nadu Civil Supplies Corporation
No.1, Salem Main Road,
Dharmapuri-636 705.
- 11.The Regional Manager,
Tamil Nadu Civil Supplies Corporation
Near Collector Office,
District Sports Ground Backside,
Dindigul-624 001.
- 12.The Regional Manager
Tamil Nadu Civil Supplies Corporation
No.38a/10, Housing Unit,
Nasiyanur Road,
Manickampalayam,
Erode-638 011.
- 13.The Regional Manager,
Tamil Nadu Civil Supplies Corporation
Vandavasi Road,
Pallavan Nager (housing Board),
Kanchipuram-631 501.
- 14.The Regional Manager
Tamil Nadu Civil Supplies Corporation
Konam,
Nagarcoil,
Kanniyakumar-629 004.
- 15.The Regional Manager,
Tamil Nadu Civil Supplies Corporation
Collectorate Complex,
Karur-639 562.

- 16.The Regional Manager
Tamil Nadu Civil Supplies Corporation
TNCSC Complex,
By Pass Road,
Krishnagiri-635 001.
- 17.The Regional Manager
Tamil Nadu Civil Supplies Corporation
Ward No.10, Kuruvikaran Salai,
Aringnar Anna Nagar,
Madurai-623 020.
- 18.The Regional Manager
Tamil Nadu Civil Supplies Corporation
Namakkal Collector Officer Back Side,
Siluvampatti Post,
Namakkal-637 003.
- 19.The Regional Manager
Tamil Nadu Civil Supplies Corporation
198/a, Goodshed Road,
Nilgiris-643 001.
- 20.The Regional Manager
Tamil Nadu Civil Supplies Corporation
Thurai Mangalam,
Perambalur-621 220.
- 21.The Regional Manager
Tamil Nadu Civil Supplies Corporation
Kalyanapuram 1st Street,
Trichy Bye-pass Road,
Pudukkottai-622 002.
- 22.The Regional Manager
Tamil Nadu Civil Supplies Corporation
Collectorate Master Plan Complex,
Ramanathapuram-625 525.
- 23.The Regional Manager
Tamil Nadu Civil Supplies Corporation
No.528, Trichy Main Road,
Dasanaikenpatti (post),
Salem-636 201.

- 24.The Regional Manager
Tamil Nadu Civil Supplies Corporation
Collectorate Complex,
Phase-ii,
Sivagangai-630 562.
- 25.The Regional Manager
Tamil Nadu Civil Supplies Corporation
No.3-112, R.m.t.c. Colony,
Bodi Main Road,
Theni-625 531.
- 26.The Regional Manager
Tamil Nadu Civil Supplies Corporation
Court Complex,
Trichy-628 008.
- 27.The Regional Manager,
Tamil Nadu Civil Supplies Corporation
No.9f, St.thomas Road,
Maharajah Nagar,
Thiruvvelveli-627 011.
- 28.The Regional Manager,
Tamil Nadu Civil Supplies Corporation
No.6, Lalbagadur Street,
Periyakumman, Thiruvallur-602 001.
- 29.The Regional Manager,
Tamil Nadu Civil Supplies Corporation
Sidco Complex,
Vellore Road,
Vengikal, Thiruvannamalai-606 604.
- 30.The Regional Manager
Tamil Nadu Civil Supplies Corporation
No.c42,43,44, Sipcot Complex,
Tuticorin-628 008.
- 31.The Regional Manager
Tamil Nadu Civil Supplies Corporation
Pallavansathukuppam
Vellore-632 002.
- 32.The Regional Manager
Tamil Nadu Civil Supplies Corporation
Chennai Road,
Villupuram-605 602.

33.The Regional Manager
Tamil Nadu Civil Supplies Corporation
Collectorate Complex,
Virudhunagar-625 001.

34.The Regional Manager
Tamil Nadu Civil Supplies Corporation
48, NGR Nagar Main Road,
SRC Mill Compound,
Uthukuli Main Road,
Tirupur-641 601.

.. Respondents in both

WAs.

Writ Appeals are filed under Clause 15 of the Letter Patent Act, against the common order in W.M.P.Nos.24175 and 21492 of 2017 in W.P.No.19899 of 2017 dated 02.11.2017.

WMP.24175 & 21492/2017:This Writ Petition filed for issuance of an order of Ad-interim injunction to the 19th Respondent herein from proceeding with the recruitment of process notified order notification bearing reference in RC.No.E2/3239/2016 dated 05.06.2017 and RC.No.E2/3239/16 (I) dated 13.06.2017 and RC.No.E2/3239/2016(II) dated 13.06.2017 (in WMP.24175/2017)

ii) To issue an order of ad-interim injunction restraining the respondents Corporation from making any recruitment through open market for the post of bill clerk, Helper, Packer, covered by clause 5 and 6 of settlement of 30.01.1997 (in WMP.No.21492/2017)

WP.No.19899 of 2017:filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent Corporation to abide by clause 3 of settlement of 19.09.1991 and clause 5 & 6 of the settlement of 30.01.1997 unless the same is substituted by another settlement or an award cost.

For Appellant : Mr.V.Prakash
Senior Counsel
for Mr.K.Sudalaikannu

For Respondents: Mr.V.Aiyadurai,
Addl. Advocate General
Assisted by
Mr.L.P.Shanmugasundaram
Spl.Govt.Pleader (Co-op.)

COMMON JUDGMENT

(Judgment of the Court was made by S.MANIKUMAR, J.)

Being aggrieved by the dismissal of injunction petitions filed in W.M.P.Nos.24175 and 21492 of 2017 in W.P.No.19899 of 2017 dated 02.11.2017, instant appeals has been filed. Writ Court has dismissed the injunction petitions, filed in the above writ petitions, as hereunder:

"Injunction petitions stand dismissed. Post the writ petition for final disposal after two weeks."

2. We have heard, Mr.V.Prakash, learned Senior Counsel for the appellant and Mr.V.Aiyadurai, learned Additional Advocate General, Government of Tamil Nadu, appearing for the Tamil Nadu Civil Supplies Corporation.

3. On the prayer to protect to interest of the employees of the appellant's union, in the interregnum period, till the writ petitions are taken up for final disposal, Mr.V.Aiyadurai, learned Additional Advocate General, appearing for the respondents submitted that whatever has been done, in the process of recruitment, would be maintained, and no further steps would be taken, till the disposal of the writ petition.

4. Placing on record, the above submissions, we are of the view that there is no need to delve further.

5. In view of the above, the writ appeal is disposed of. Both the appellant and the Tamil Nadu Civil Supplies Corporation, are at liberty to approach the Writ Court, for expeditious disposal. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

DM/SKM

To

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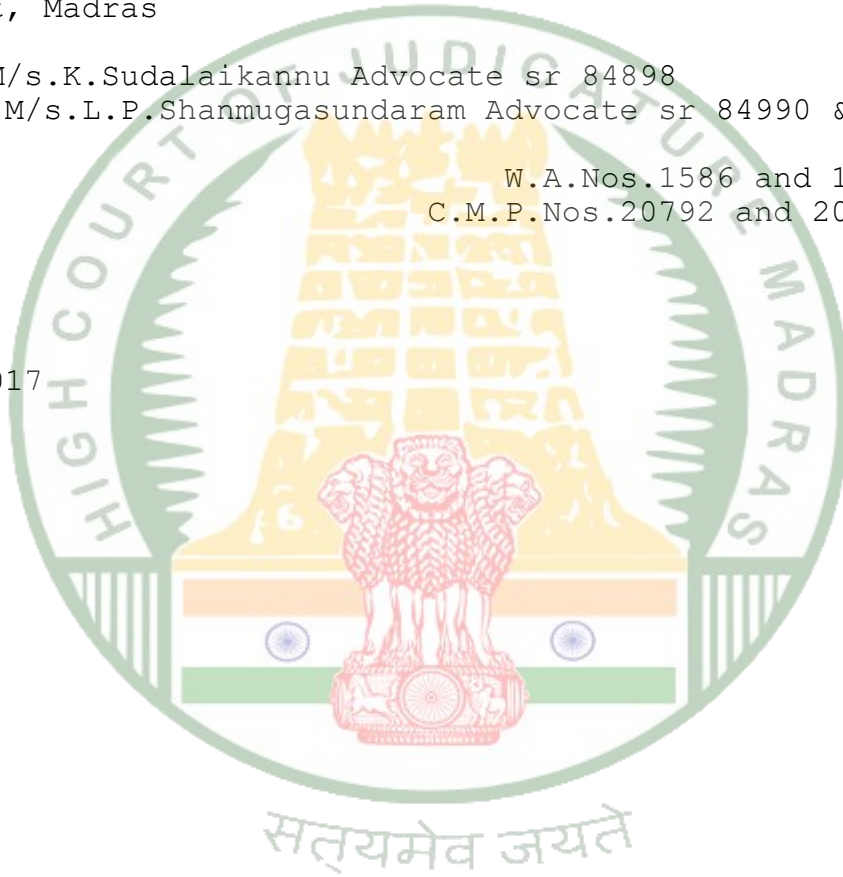
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copy to
The Section Officer
Writ Posting,
High Court, Madras

+1 cc to M/s.K.Sudalaikannu Advocate sr 84898
+2 ccs to M/s.L.P.Shanmugasundaram Advocate sr 84990 &84989

W.A.Nos.1586 and 1587 of 2017
C.M.P.Nos.20792 and 20793 of 2017

rsi(co)
aa22/12/2017



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