

IN THE HIGH COURT OF JUDICATURE AT MADRAS

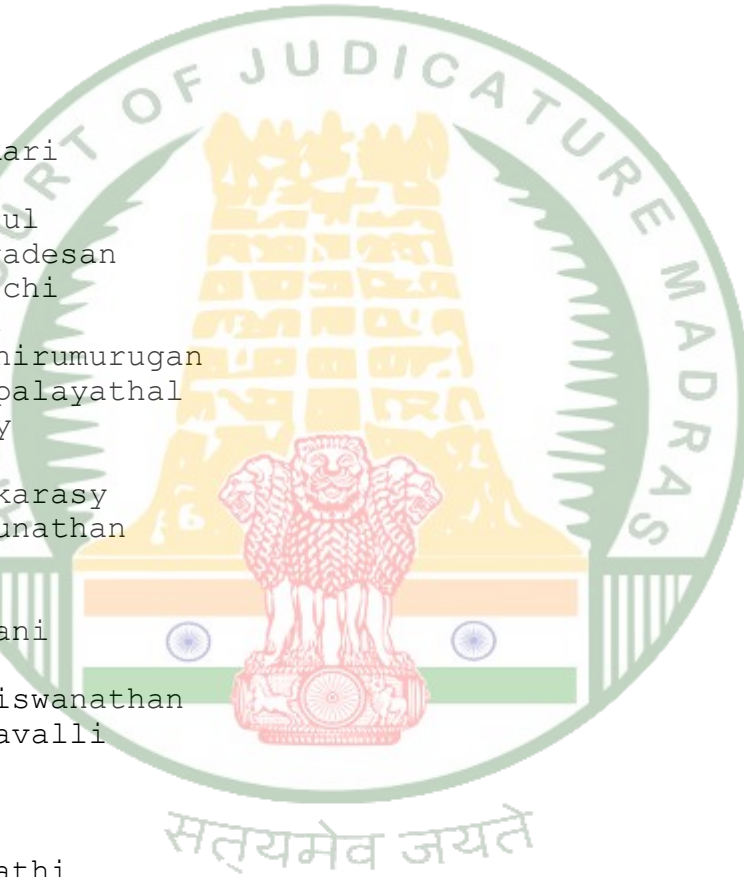
DATED : 20.06.2017

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

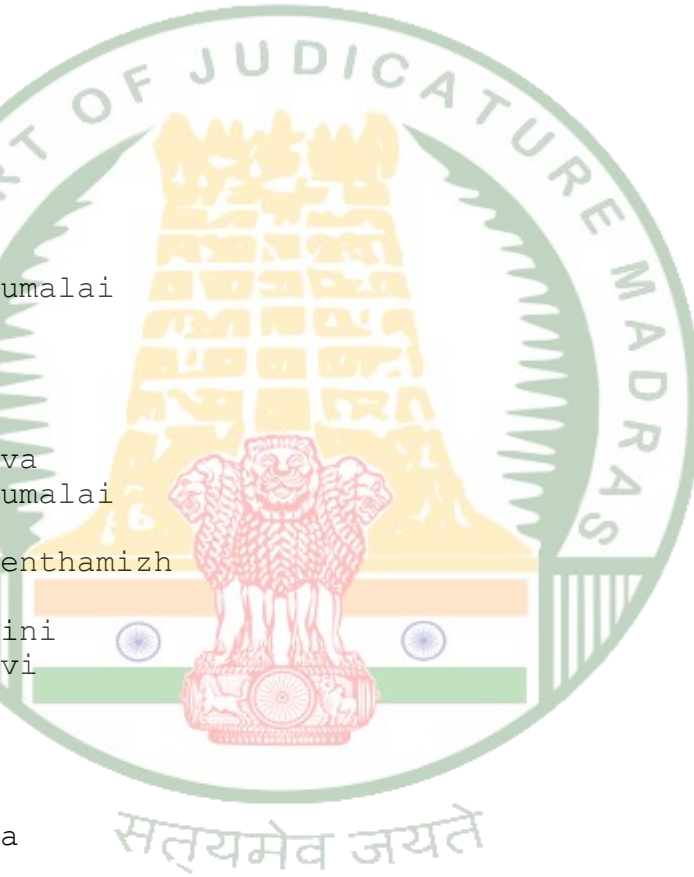
W.P.No.12203 of 2017 and
W.M.P.Nos.12998, 12999 to 13000 & 15491 of 2017

1. J.Suganthi
2. M.Ganga
3. D.Valli
4. Vijayakumari
5. M.Chitra
6. Sathya Arul
7. Kala Vengadesan
8. P.Visalatchi
9. P.Alamelu
10. Vijaya Thirumurugan
11. D.Periyapalayathal
12. A.Revathy
13. V.Santhi
14. S.Anibookarasy
15. Banu Ragunathan
16. P.Selvi
17. K.Megala
18. R.Jeevarani
19. K.Usha
20. Anitha Viswanathan
21. R.Kumuthavalli
22. S.Maliga
23. Latha
24. A.Kala
25. E.Savaivathi
26. M.Sudha
27. R.Dhanalakshmi
28. A.Sathiya
29. Kajalakshmi
30. R.Sasikala
31. B.Jayabarathi
32. M.Sathiya
33. M.Geetha
34. Govindammal
35. Vijayalakshmi
36. Jayanthi
37. Amsavani



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38. Parimala
39. Vijayalakshmi
40. Dhanalakshmi
41. Doulat Be
42. V. Sathiya
43. Thillaidevi
44. Sarasu
45. Rajini
46. Umatha Mary Peter
47. Adhilatchumy
48. S. Periyanaagi
49. P. Mala
50. Vanitha
51. Suseela
52. R. Jaya
53. D. Revathy
54. Latha
55. Gousalya N
56. S. Jayanthi
57. P. Santhi
58. E. Latha Ezhumalai
59. M. Pushpa
60. Thanasekari
61. V. Jothi
62. S. Dharamani
63. Gloria Boliva
64. Lakshmi Ezhumalai
65. Rajalakshmi
66. Elakkanni Senthamizh
67. G. Uma
68. P. Kejavarthini
69. G. Vetri Selvi
70. N. Selvarani
71. N. Anbu
72. P. Usha
73. Ventamani
74. Sathiya Kala
75. Savitha
76. M. Jayalakshmi
77. V. Boomadevi
78. A. Yasotha
79. K. Latha
80. D. Adhilakshmi
81. R. Santhi
82. S. Valarmathi
83. Sumathai
84. Umamageshwari
85. C. Vijaya Kumari
86. Brindavathi
87. S. Shanmugasundari



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88. J.Janagi
89. Panchavarnam
90. S.Ranjith Sekar
91. P.Janaki
92. R.Prema
93. S.Veerammal
94. Sumathi
95. Vetrikumaran
96. Suganthi

... Petitioners

Vs.

1. The Director,
Jawaharlal Nehru Institute of Post
Graduate Medical Education and Research (JIPMER),
Gorimedu, Pondicherry.
 2. The Commissioner,
Labour Department,
Government of Pondicherry,
Pondicherry.
 3. The Assistant Vice President,
M/s.Security and Intelligence Service (India) Limited,
No.12, First Floor, Vivekananda Nagar,
Villianur Main Road,
Pondicherry.
- ...Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 1 and 2 not to disturb the working status of petitioners as security staff in the 1st respondent Institution pending conciliation proceedings before the 2nd respondent, further direct the 2nd respondent to complete the conciliation proceedings within a time stipulation; and further direct the 1st respondent to directly absorb the petitioners under direct contract with the 1st respondent and pay salary to the petitioners considering their long tenure of service.

For Petitioner: Ms.R.Poornima

For Respondents: Mr.M.T.Arunan for R1
No appearance for R2 and R3

O R D E R

All these petitioners are working under the third respondent. The third respondent was the erstwhile contractor of the first respondent in the writ petition. A dispute has been raised by the petitioners against the third respondent, which is

pending consideration before the second respondent. The petitioners have come forward to file this writ petition seeking a direction not to disturb their work status pending the dispute.

2. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the first respondent.

3. Unfortunately, the period of contract between the first respondent and third respondent is over. From the records, it appears that thereafter a new contract has been awarded by the first respondent in favour of M/s. Orion Security Solutions (P) Limited services by the work order dated 08.03.2017. It has also recruited 366 security staff as their employees and deployed them in a phased manner. The new contract to the new service provider comes into existence with effect from 13.05.2017 for a period of one year.

4. In view of the aforesaid development, this Court is unable to allow the writ petition as prayed for.

5. Learned counsel appearing for the petitioners would submit that the first respondent has opened up a negotiation channel and pursuant to the same, discussions are going on to explore the possibility of accommodating the petitioners. This submission is denied by the learned counsel appearing for the first respondent. Be that as it may. It is hereby clarified that dismissal of this writ petition will not stand in the way of any possible negotiation between the petitioners and the first respondent which could be explored through the new contractor, whose name has been referred to above.

6. With the above observation, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

mmi

To

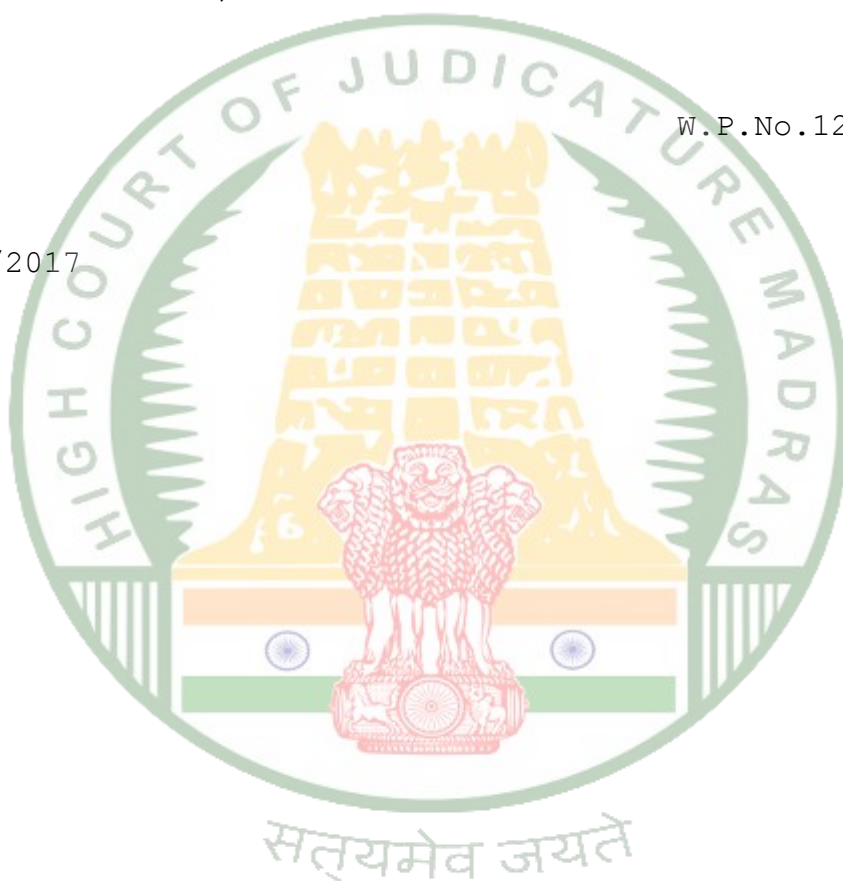
The Director,
Jawaharlal Nehru Institute of Post
Graduate Medical Education and Research (JIPMER),
Gorimedu, Pondicherry.

+lcc to Ms.R.Poornima, Advocate Sr.43264

+lcc to Mr.M.T.Arunan, Advoate Sr.43395

W.P.No.12203 of 2017

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srg 29/06/2017



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