



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 04.07.2017
CORAM:

THE HONOURABLE Mr.JUSTICE **T.RAJA**

WEB COPY

Writ Petition (MD) Nos.12337 to 12352 of 2017

T.MURUGAN,
S/O. THIRUMALAI,
GANDIJI NAGAR, SEMPATTI,
DINDIGUL DISTRICT. ... Petitioner in WP(MD). 12337/ 2017

JOTHIRAJA, S/O.NATARAJAN,
5/248, A.R.M.K.NAGAR,
POWER STATION NEAR, PALANI,
DINDIGUL DISTRICT. ... Petitioner in WP(MD). 12338/ 2017

ESWARAN, S/O.VELU,
3/321, SRI MANIAPPAN KOVIL STREET,
THOMAIYARPURAM, BEGAMPUR POST,
DINDIGUL DIST 2. ... Petitioner in WP(MD). 12339/ 2017

RAMAYEE, W/O. A.VELUSAMY,
MARUTHUNAGAR, SIVAGIRIPATTI,
PALANI, DINDIGUL DISTRICT. ... Petitioner in WP(MD). 12340/ 2017

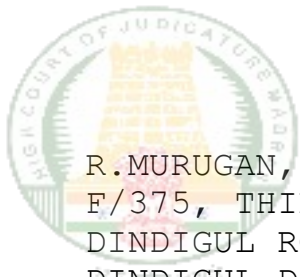
V.RAMESH, S/O.VEERIAH,
2, MAYANAKARAI ROAD,
KEELA VADAKARAI, PERIYAKULAM,
DINDIGUL DISTRICT. ... Petitioner in WP(MD). 12341/ 2017

SELVAM, S/O.RAMALINGAM
11/4-17, V.M.S.STREET,
CHINNALAPATTY,
DINDIGUL DISTRICT. ... Petitioner in WP(MD). 12342/ 2017

S.MURUGESAN, S/O. SENRAJ,
SEMPATTI,
DINDIGUL DISTRICT. ... Petitioner in WP(MD). 12343/ 2017

M.DHANASEKAR, S/O.S.MATHURAM,
SUNDARAM THOTTAM, GOPALAPURAM VILLAGE,
CHATHIRAPATTI POST, ODDANCHATRAM,
DINDIGUL DISTRICT. ... Petitioner in WP(MD). 12344/ 2017

RAJESH KENNADY, S/O.VELANKANNI,
NORTH PONMANTHURAI POST, DINDIGUL,
DINDIGUL DISTRICT. ... Petitioner in WP(MD). 12345/ 2017



R.MURUGAN, S/O. A.RAMASAMY,
F/375, THIRUVALLUVAR NAGAR,
DINDIGUL ROAD, PALANI,
DINDIGUL DISTRICT.

... Petitioner in WP(MD). 12346/ 2017

X.SELVAM BASKAR, S/O.XAVIER AMALADOSS,
ANUMANTHARAYANKOTTAI TALUK,
DINDIGUL DISTRICT.

... Petitioner in WP(MD). 12347/ 2017

N.PERIYANNAN, S/O.NAGAMUTHU,
344HA, NALLAMPATTI, P.K.PATTY ROAD,
ADIYANOOTHU,
DINDIGUL DISTRICT.

... Petitioner in WP(MD). 12348/ 2017

KATTURANI, S/O.ALAGAR,
MARUTHUNAGAR, SIVAGIRPATTI POST,
PALANI,
DINDIGUL DISTRICT.

... Petitioner in WP(MD). 12349/ 2017

V.K.BALAMURUGAN, S/O.V.KARUPPANAN,
THENAMPATTI, VEDASANDUR TALUK,
VADAMADURAI VIZ.,
DINDIGUL DISTRICT.

... Petitioner in WP(MD). 12350/ 2017

ASAITHAMBI, S/O.JEYARAMAN
70, VELANKANNIPURAM,
CHETTIYAPATTI POST, GANDHIGRAMAM VIZ.,
DINDIGUL DISTRICT.

... Petitioner in WP(MD). 12351/ 2017

R.M.KARIKALAN, S/O. R.MARUTHAI,
NANJIL MANOHARAN COLONY, CHINNALAPATTI,
DINDIGUL DISTRICT.

... Petitioner in WP(MD). 12352/ 2017

-Vs-

1 THE STATE REP. BY THE INSPECTOR OF LABOUR,
INSPECTOR OF LABOUR OFFICE,
DINDIGUL DISTRICT.

2 THE SUPERINTENDING OF ENGINEER,
DINDIGUL ELECTRICITY DISTRIBUTION CIRCLE,
TAMIL NADU ELECTRICITY BOARD, (TANGEDCO),
DINDIGUL DISTRICT.

... Respondent 1 and 2 in all WPs

R3-THE ASSISTANT ENGINEER,
SEMPATTI 230KV SUB DIVISION,
TAMIL NADU ELECTRICITY BOARD, (TANGEDCO),
DINDIGUL DISTRICT.

... Respondents in WP(MD).Nos.12337 &
12343/ 2017



R3-THE ASSISTANT ENGINEER,
THOPPAMPATTI TOWN DIVISION,
TAMIL NADU ELECTRICITY BOARD, (TANGEDCO),
THOPPAMPATTI,
DINDIGUL DISTRICT. ... 3rd Respondent in WP(MD). 12338/ 2017

R3-THE ASSISTANT ENGINEER,
N.PANCHAMPATTI DIVISION,
TAMIL NADU ELECTRICITY BOARD, (TANGEDCO),
N.PANCHAMPATTI,
DINDIGUL DISTRICT. ... Respondent in WP(MD).Nos.12339,
12345 & 12347/ 2017

R3-THE ASSISTANT ENGINEER (CIVIL),
PALANI RCC YARD,
TAMILNADU ELECTRICITY BOARD, (TANGEDCO),
PALANI, DINDIGUL. ... 3rd Respondent in WP(MD).Nos. 12340, 12344,
12346 & 12349/ 2017

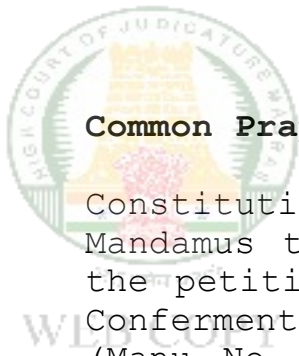
R3-THE ASSISTANT ENGINEER,
CHATHIRAPATTI EAST DIVISION,
TAMIL NADU ELECTRICITY BOARD, (TANGEDCO),
DINDIGUL DISTRICT. ... 3rd Respondent in WP(MD). 12341/ 2017

R3-THE ASSISTANT ENGINEER,
CHINNALAPATTI DIVISION,
TAMIL NADU ELECTRICITY BOARD, (TANGEDCO),
CHINNALAPATTI,
DINDIGUL DISTRICT. ... 3rd Respondent in WP(MD).Nos. 12342 &
12352/ 2017

R3-THE ASSISTANT ENGINEER,
SPECIAL MAINTENANCE SUB DIVISION,
TAMIL NADU ELECTRICITY BOARD, (TANGEDCO),
DINDIGUL,
DINDIGUL DISTRICT. ... 3rd Respondent in WP(MD). 12348/ 2017

R3-THE ASSISTANT ENGINEER,
AYYALUR DIVISION,
TAMIL NADU ELECTRICITY BOARD, (TANGEDCO),
AYYALUR,
DINDIGUL DISTRICT. ... 3rd Respondent in WP(MD). 12350/ 2017

R3-THE ASSISTANT ENGINEER,
GANDHIGRAMAM DIVISION,
TAMIL NADU ELECTRICITY BOARD, (TANGEDCO),
GANDHIGRAMAM,
DINDIGUL DISTRICT. ... 3rd Respondent in WP(MD). 12351/ 2017



Common Prayer in WP(MD).Nos. 12337/ 2017 to 12352/2017:

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus to direct the 1st Respondent to Speedy Trial to dispose the petition filed by the Petitioner U/s. 3 of Tamil Nadu Labour Conferment Permanent Status Act, 1981 in C.P.S. No. 63 of 2011 (Manu No. 63/2011), C.P.S.No.1 of 2013 (Manu No.1/2013), C.P.S. No.13 of 2013 (Manu.No.13/2013), (Manu No. 32/2010) C.P.S. No. 32 of 2010, C.P.S.No.61 of 2011 (Manu No.61/2011), C.P.S. No.54 of 2014 (Manu.No.54/2014), C.P.S. No. 60 of 2011 (Manu No. 60/2011), (Manu No.2/2017) C.P.S.No.2 of 2017, C.P.S. No.3 of 2014 (Manu.No.3/2014), (Manu No. 40/2010) C.P.S. No. 40 of 2010, C.P.S.No.11 of 2013 (Manu No.11/2013), C.P.S. No.1 of 2012 (Manu.No.1/2012), (Manu No. 35/2010) C.P.S. No. 35 of 2010, C.P.S.No.6 of 2012 (Manu No.6/2012), C.P.S. No.14 of 2013 (Manu.No.14/2013), C.P.S. No. 55 of 2014 (Manu No. 55/2014) respectively on the file of the Inspector of Labour, The inspector of Labour office, Dindigul, within time frame as may be fixed by this Honble court as early as possible.

For Petitioner : Mr.R.Sundar
(in all the W.Ps.)

For Respondents : Mr.R.Karthikeyan
(in W.P.(MD)Nos.12337, Additional Government Pleader
12342, 12343, 12348 &
12349 of 2017)

For Respondents : Mr.K.Guru
(in W.P.(MD)Nos.12338, Additional Government Pleader
12339, 12344, 12345,
12350 & 12351 of 2017)

For Respondents : Mr.D.Muruganantham
(in W.P.(MD)Nos.12340, Additional Government Pleader
12341, 12346, 12347 &
12352 of 2017)

COMMON ORDER

Since common issues are involved in these Writ Petitions, they are heard together and disposed of by this common order.

2.Mr.R.Karthikeyan, learned Additional Government Pleader takes notice for the respondents in W.P.(MD)Nos.12337, 12342, 12343, 12348 and 12349 of 2017. Mr.K.Guru, learned Additional Government Pleader takes notice for the respondents in W.P.(MD) Nos.12338, 12339, 12344, 12345, 12350 and 12351 of 2017. Mr.D.Muruganantham, learned Additional Government Pleader takes notice for the respondents in W.P.(MD)Nos.12340, 12341, 12346, 12347 and 12352 of 2017. By consent, the Writ Petitions are taken up for final disposal.



3.All the petitioners have approached the authority, viz., the Inspector of Labour, Dindigul District, first respondent herein, who is an authority under the Tamil Nadu Industrial Establishments (Conferment of Permanent Status to Workmen) Act, 1981, seeking conferment of permanent status to them. As some of the petitions were filed between 2010 and 2014 and one of them was filed in the year 2017, after waiting for long time to take up the matters for disposal and getting no response whatsoever from the respondents, the petitioners have come to this Court seeking for issuance of a Writ of Mandamus directing the first respondent to conduct a speedy trial and dispose of the petitions filed by them under Section 3 of the Tamil Nadu Industrial Establishments (Conferment of Permanent Status to Workmen) Act, 1981.

4.Today, when the matters were taken up for hearing, the learned Additional Government Pleaders appearing for the respondents, on instructions, submitted that the Inspector of Labour, Dindigul District, first respondent herein has stated that after filing the petitions, they did not turn up, as a result, the petitions could not be taken up for hearing.

5.This Court is not able to find any justification in the said submission. If the petitioners are not represented by the counsel or the authority on the date of listing the same for hearing, the Inspector of Labour after giving one or two hearings, should have disposed of the matters on merits or otherwise in the manner known to law. Without resorting to the said course, he cannot keep the petitions in a cold storage on the ground that the petitioners have not approached the Court. Therefore, this Court hereby directs the first respondent to take up the matters and dispose of them within a period of three months from the date of receipt of a copy of this order.

6.With the above direction, these Writ Petitions are disposed of. No costs.

Sd/-
Assistant Registrar(Records)

/True Copy/

Sub Assistant Registrar

To:

1.THE INSPECTOR OF LABOUR,
INSPECTOR OF LABOUR OFFICE,
DINDIGUL DISTRICT.



2. THE SUPERINTENDING ENGINEER,
DINDIGUL ELECTRICITY DISTRIBUTION CIRCLE,
TAMIL NADU ELECTRICITY BOARD,
(TANGEDCO), DINDIGUL DISTRICT.
3. THE ASSISTANT ENGINEER,
SEMPATTI 230 KV SUB-DIVISION,
TAMIL NADU ELECTRICITY BOARD,
(TANGEDCO), DINDIGUL DISTRICT.
4. THE ASSISTANT ENGINEER,
THOPPAMPATTI TOWN DIVISION,
TAMIL NADU ELECTRICITY BOARD, (TANGEDCO),
THOPPAMPATTI, DINDIGUL DISTRICT.
5. THE ASSISTANT ENGINEER,
N.PANCHAMPATTI DIVISION,
TAMIL NADU ELECTRICITY BOARD, (TANGEDCO),
N.PANCHAMPATTI, DINDIGUL DISTRICT.
6. THE ASSISTANT ENGINEER (CIVIL),
PALANI RCC YARD, TAMILNADU ELECTRICITY BOARD, (TANGEDCO),
PALANI, DINDIGUL.
7. THE ASSISTANT ENGINEER,
CHINNALAPATTI DIVISION,
TAMIL NADU ELECTRICITY BOARD, (TANGEDCO),
CHINNALAPATTI, DINDIGUL DISTRICT.
8. THE ASSISTANT ENGINEER,
CHATHIRAPATTI EAST DIVISION,
TAMIL NADU ELECTRICITY BOARD, (TANGEDCO),
DINDIGUL DISTRICT.
9. THE ASSISTANT ENGINEER,
SPECIAL MAINTENANCE SUB DIVISION,
TAMIL NADU ELECTRICITY BOARD, (TANGEDCO),
DINDIGUL, DINDIGUL DISTRICT.
10. THE ASSISTANT ENGINEER,
AYYALUR DIVISION, TAMIL NADU ELECTRICITY BOARD, (TANGEDCO),
AYYALUR, DINDIGUL DISTRICT.
11. THE ASSISTANT ENGINEER,
GANDHIGRAMAM DIVISION,
TAMIL NADU ELECTRICITY BOARD, (TANGEDCO),
GANDHIGRAMAM, DINDIGUL DISTRICT.

+15cc to Mr.R.Sundar, Advocate SR.No. 63411, 63412,
63414 to 63426

+1cc to Special Government Pleader, SR.No. 63467

Common Order in
W.P. (MD) Nos.12337 to 12352 of 2017
04.07.2017