



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P (MD) No.14050 of 2017

K.Kannan .. Petitioner
Vs.

1. Inspector of Labour,
Office of Inspector of Labour,
Department of Labour,
Virudhunagar.
2. Superintending Engineer,
K.Pudur, Madurai, Madurai District.
3. The Assistant Engineer,
Tamil Nadu Electricity Board,
Kappalur - RCC Yard,
Madurai District.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the first respondent to complete the enquiry in Manu.Na.Ka.No.167/2010 within a time frame to be fixed by this Court.

For Petitioner : Mr.M.Kannan

For Respondent No.1 : Mr.K.Guru,
Additional Government Pleader.

For Respondents 2 and 3 : Mrs.S.Srimathy

ORDER

This writ petition is filed seeking a writ of Mandamus to direct the first respondent to complete the enquiry in Manu.Na.Ka.No.167/2010, within the time stipulated by this Court.

2.Mr.K.Guru, learned Additional Government Pleader, takes notice for the first respondent and Mrs.S.Srimathy, takes notice for the respondents 2 and 3.

3.By consent of both the parties, this writ petition is dismissed with costs.
<https://hccservices.courts.gov.in/cases>

4.Heard both sides.



5.The case of the petitioner is that he was employed as helper under the respondents 2 and 3 for about eleven years from 01.02.1997. Since, he has not been conferred with permanent status as per the Tamil Nadu Industrial Establishments (Conferment of Permanent Status of Workmen) Act, 1981, he filed a petition in Manu.Na.Ka.No.167/2010 before the first respondent for conferment of permanent status and payment of statutory benefits. According to the petitioner, the first respondent has not completed the enquiry in the said petition for the past six years. Therefore, the petitioner is before this Court with the aforesaid prayer.

6.The pathetic condition of the petitioner is that the enquiry as contemplated under Tamil Nadu Industrial Establishments (Conferment of Permanent Status of Workmen) Act, 1981, in the petition filed in Manu.Na.Ka.No.167/2010, has been kept pending for the past six years before the first respondent. The said sort of practice of the authority cannot be countenanced.

7.Considering the aforesaid factual circumstances, this Court, without going into the merits of the petitioner's claim, directs the first respondent to complete the enquiry in the petition filed in Manu.Na.Ka.No.167/2010 and pass appropriate orders on its own merit and in accordance with law, after affording due opportunity of hearing to the petitioner as well as the respondents 2 and 3, within a period of four weeks from the date of receipt of a copy of this order.

8.The writ petition is disposed of as above. No costs.

Sd/-

Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar.

To
The Inspector of Labour,
Office of Inspector of Labour,
Department of Labour,
Virudhunagar.

+1CC to Mr.M.Kannan, Advocate, SR.No.69253

ORDER MADE IN
W.P (MD) No.14050 of 2017
28.07.2017

smn