



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.01.2017

CORAM :

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P(MD)No.862 of 2017

and

WMP(MD)No.720 of 2017

M.Vimala

... Petitioner

vs.

1)The Tamil Nadu Newsprint and Papers Limited (TNPL),
Rep. by its Chairman / Managing Director and
the Secretary to Government,
Industries Department,
67, Mount Road, Guindy,
Chennai-600 032.

2)The Deputy Managing Director,
Tamil Nadu Newsprint and Papers Limited (TNPL),
67, Mount Road,
Guindy, Chennai-600 032.

3)The General Manager(HR),
Tamil Nadu Newsprint and Papers Limited (TNPL),
Kakithapuram-639 136,
Karur District.

... Respondents

Petition filed under Article 226 of the Constitution of India,
praying for the issuance of a Writ of Mandamus, directing the
respondents to consider the application dated 21.10.2016 of the
petitioner in the light of the Clause-15 of the Settlement dated
16.05.1986 i.e. "'Employment for legal heirs of the deceased
workmen'" and grant appointment to the petitioner on regular
basis, to a suitable post based on the educational qualification
within a time limit to be fixed by this Hon'ble Court.

For Petitioner	: Mr.A.Thirumurthy
For R1	: Mr.A.K.Baskarapandian Special Government Pleader
For R2 & R3	: Mr.M.P.Senthil

ORDER

The prayer in this writ petition is for issuance of a Writ of
Mandamus, directing the respondents to consider the application of



the petitioner dated 21.10.2016, in the light of Clause-15 of the Settlement dated 16.05.1986 i.e. "Employment for legal heirs of the deceased workmen" and grant appointment to the petitioner on regular basis, to a suitable post based on her educational qualification within a time limit to be fixed by this Court.

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2.The petitioner submits that on 14.11.2015, her father who was the employee under the respondent/TNPL, died and she made a representation for considering her case for compassionate appointment, based on Clause-15 of the settlement dated 16.05.1986 entered into between the Union and the Management under Section 12 (3) of the Industrial Disputes Act. As there was no response, the petitioner has come forward with this writ petition.

3.Clause-15 of the settlement dated 16.05.1986 reads as follows:-

"The Company will consider sympathetically the applications from the son or lawfully adopted sons or son-in-law of the workmen who dies while in service, for employment in the company, provided they confirm to the minimum norms fixed by the company for various posts."

4.In view of the limited relief sought for, the respondents are directed to consider the application of the petitioner dated 21.10.2016, in the light of Clause-15 of the settlement dated 16.05.1986 entered into between the Union and the Management under Section 12(3) of the Industrial Disputes Act, if the said Clause in the settlement is not superseded by any other settlement or award. The respondents shall pass appropriate orders on the application of the petitioner preferably on or before 15.03.2017.

With the above direction, this Writ Petition stands disposed of. No costs. Consequently, WMP(MD)No.720 of 2017 is closed.

Sd/-

Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar

nbi

To

1)The Chairman / Managing Director and
the Secretary to Government,
Tamil Nadu Newsprint and Papers Limited (TNPL),
Industries Department,
67, Mount Road,

<https://hcservices.ecourts.gov.in/hcservices/>
Chennai-600 032.



2)The Deputy Managing Director,
Tamil Nadu Newsprint and Papers Limited (TNPL),
67, Mount Road,
Guindy, Chennai-600 032.

3)The General Manager(HR),
Tamil Nadu Newsprint and Papers Limited (TNPL),
Kakithapuram-639 136,
Karur District.

+1cc to Mr.VICTORY ASSOCIATES, Advocate Sr.No. 3250

+1cc to Mr.M.P.SENTHIL Advocate Sr.No. 3291

+1cc to Spl.Government Pleader Sr.No. 3377

JAM/31.01.2017/ SV-MMS/SAR 3/ 3P-7C

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19.01.2017