

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :24.04.2018

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.Nos. 358 of 2018
W.P.No.8244 of 2016,
W.P.No.813 of 2014
W.P.Nos.2335, 2336, 26937 of 2014
W.P.Nos.4674, 5707 to 5710, ***21137 of 2013**
W.P.Nos.30916, 33495, 33496, 33041 to 33045 of 2013
& W.P.Nos.33047 to 33049 of 2013
W.P.Nos.30629 & 39789 of 2005
and
W.M.P.No.33527 of 2005
W.P.M.P.No.42668 of 2005
M.P.Nos.1,1,1,1,1,1,1,1,1 & 1 of 2013
M.P.No.1 of 2014
M.P.Nos.1 & 1 of 2014
M.P.Nos.1,1,1,1,1,1,1 & 1 of 2016
W.M.P.Nos.646 and 650 of 2016
W.M.P.No.7350 of 2016
W.M.P.Nos.827 & 828 of 2017
W.M.P.No.411 of 2018

- 1 THE SUPERINTENDING ENGINEER Petitioner in WP No.358 of 2018
VILLUPURAM ELECTRICITY
DISTRIBUTION CIRCLE TAMIL NADU GENERATION
AND DISTRIBUTION CORPORATION VILLUPURAM
- 1 THE SUPERINTENDING ENGINEER
TIRUPPUR ELECTRICITY DISTRIBUTION CIRCLE
TAMILNADU ELECTRICITY BOARD
TIRUPPUR .. Petitioner in WP No.8244 of 2016
- 1 THE SUPERINTENDING ENGINEER
TAMILNADU GENERATION AND DISTRIBUTION
CORPORATION LTD. VILLUPURAM ELECTRICITY
DISTRIBUTION CIRCLE
VILLUPURAM ... Petitioner in WP No.813 of 2014

- 1 THE SUPERINTENDING ENGINEER
THIRUVANNAMALAI ELECTRICITY DISTRIBUTION
CIRCLE TANGEDCO
THIRUVANNAMALAI 606 604 .. Petitioner in WP No.2335 of 2014
- 1 THE SUPERINTENDING ENGINEER
THIRUVANNAMALAI ELECTRICITY DISTRIBUTION
CIRCLE TANGEDCO
THIRUVANNAMALAI 606 604 .. Petitioner in WP No.2336 of 2014
- 1 THE SUPERINTENDING ENGINEER
TIRUPPUR ELECTRICITY DISTRIBUTION CIRCLE
TAMILNADU ELECTRICITY BOARD
TIRUPPUR DISTRICT. Petitioner in WP No.26937 of 2014
- 1 THE SUPERINTENDING ENGINEER
GOBI ELECTRICITY DISTRIBUTION CIRCLE
TAMILNADU ELECTRICITY BOARD
GOBICHETTIPALAYAM Petitioner in WP No.4674 of 2013
- 1 THE SUPERINTENDING ENGINEER
METTUR ELECTRICITY DISTRIBUTION CIRCLE
TAMILNADU ELECTRICITY BOARD
METTUR Petitioner in WP No.5707 of 2013
- 1 THE SUPERINTENDING ENGINEER
METTUR ELECTRICITY DISTRIBUTION CIRCLE
TAMILNADU ELECTRICITY BOARD
METTUR Petitioner in WP No.5708 of 2013
- 1 THE SUPERINTENDING ENGINEER
METTUR ELECTRICITY DISTRIBUTION CIRCLE
TAMILNADU ELECTRICITY BOARD
METTUR Petitioner in WP No.5709 of 2013
- 1 THE SUPERINTENDING ENGINEER
METTUR ELECTRICITY DISTRIBUTION CIRCLE
TAMILNADU ELECTRICITY BOARD
METTUR Petitioner in WP No.5710 of 2013
& WP 30916/2013
- 1 THE CHIEF ENGINEER/PERSONNEL
TAMILNADU GENERATION AND DISTRIBUTION
CORPORATION LTD. NO.144 ANNA SALAI
CHENNAI 2 Petitioners in WP No.21137 of 2013

- 2 THE SUPERINTENDING ENGINEER
METTUR ELECTRICITY DISTRIBUTION CIRCLE
TAMILNADU GENERATION AND DISTRIBUTION
CORPORATION LIMITED METTUR DAM 1
- 1 THE SUPERINTENDING ENGINEER
METTUR ELECTRICITY DISTRIBUTION CIRCLE
TAMIL NADU ELECTRICITY BOARD
METTUR. ... Petitioners in WP No.33495 of 2013
- 2 THE EXECUTIVE ENGINEER
OPERATION AND MAINTENANCE TAMILNADU
ELECTRICITY BOARD METTUR DAM 1.
- 3 THE ASSISTANT ENGINEER
OPERATION AND MAINTENANCE METTUR RURAL
SECTION TAMIL NADU ELECTRICITY BOARD
METTUR DAM 1.
- 1 THE SUPERINTENDING ENGINEER
METTUR ELECTRICITY DISTRIBUTION CIRCLE
TAMIL NADU ELECTRICITY BOARD
METTUR. ... Petitioners in WP No.33496 of 2013
- 2 THE EXECUTIVE ENGINEER
OPERATION AND MAINTENANCE TAMILNADU
ELECTRICITY BOARD OMALUR SALEM DISTRICT.
- 3 THE ASSISTANT ENGINEER
OPERATION AND MAINTENANCE TAMILNADU
ELECTRICITY BOARD OMALUR SALEM DISTRICT.
- 1 THE SUPERINTENDING ENGINEER
VILLUPURAM ELECTRICITY DISTRIBUTION CIRCLE
TANGEDCO. VILLUPURAM ... Petitioner in WP No.33041 of 2013
- 1 THE SUPERINTENDING ENGINEER
VILLUPURAM ELECTRICITY DISTRIBUTION CIRCLE
TANGEDCO. VILLUPURAM ... Petitioner in WP No.33042 of 2013
- 1 THE SUPERINTENDING ENGINEER
VILLUPURAM ELECTRICITY DISTRIBUTION CIRCLE
TANGEDCO. VILLUPURAM ... Petitioner in WP No.33043 of 2013
- 1 THE SUPERINTENDING ENGINEER
VILLUPURAM ELECTRICITY DISTRIBUTION CIRCLE
TANGEDCO VILLUPURAM ... Petitioner in WP No.33044 of 2013

1 THE SUPERINTENDING ENGINEER
VILLUPURAM ELECTRICITY DISTRIBUTION CIRCLE
TANGEDCO VILLUPURAM ... Petitioner in WP No.33045 of 2013

1 THE SUPERINTENDING ENGINEER
VILLUPURAM ELECTRICITY DISTRIBUTION CIRCLE
TANGEDCO VILLUPURAM ... Petitioner in WP No.33047 of 2013

1 THE SUPERINTENDING ENGINEER
VILLUPURAM ELECTRICITY DISTRIBUTION CIRCLE
TANGEDCO VILLUPURAM ... Petitioner in WP No.33048 of 2013

1 THE SUPERINTENDING ENGINEER
VILLUPURAM ELECTRICITY DISTRIBUTION CIRCLE
TANGEDCO VILLUPURAM ... Petitioner in WP No.33049 of 2013

1.The Superintending Engineer
TNEB, Gobi Electricity Distribution Circle
Gobichettipalayam, ...Petitioner in WP.30629/2005 and
in WP.No.39789/2005

vs

*

1 **Inspector of Labour**
(Authority Under the Tamil nadu Industrial
Establishment (Conferment of Permanent
Status to workmen) Act 1981 Villupuram

2 **P.Chinnaponnu**
3 **M. Amirdham**
4 **P. Selvi**
5 **A. Irusammal**
6 **C. Kannammal**
7 **N. Radha**
8 **A. Banumathi**
9 **S. Mangayarkarasi**
10 **V. Rathinammal**
11 **V.Kuppu**
12 **C.Dhanalakshmi**
13 **T.Abirami**
14 **S.Kalaiyarasi**
15 **K.Manjula**
16 **K.Rajaveni**
17 **A.Parvathi**
18 **M.Deivalakshmi**
19 **K.Kala**
20 **S.Sakunthala**
21 **R.Devika**

22 V.Periyanayagi
23 N.Karpagam
24 T.Sathya
25 T.Poorani
26 R.Lakshmidēvi
27 S.Vijayalakshmi
28 E.Sumathi
29 V.Kamalavalli

... RESPONDENTS IN WP.358 OF 2018

1 THE INSPECTOR OF LABOUR
OFFICE OF THE INSPECTOR OF LABOUR TIRUPPUR

2 R.DURAIRAJ
3 K.PANNER SELVAM
4 N.PALANISAMY
5 C.SASIKUMAR
6 M.SHANMUGAM
7 N.BALASUBRAMANI
8 A.KUMAR
9 P.K.CHANDRAKUMAR
10 S.MUNIAPPAN
11 M.RADHKRISHNAN
12 S.VIJAYAN
13 A.DURAISAMY
14 P.S.SURESH KUMAR
15 K.SELLADURAI
16 C.JAYAPRAKASH
17 V.SARAVANAKUMAR
18 R.MURUGAN
19 S.CHINNAMUNIYAPPAN
20 P.MAHENDRAN
21 M.THANIGAIRAJ
22 D.SAKTHIVEL
23 G.MOHANASUNDARAM

...RESPONDENTS in WP No.8244 of 2016

1 S.VIJAYAKUMAR

2 THE PRESIDING OFFICER
LABOUR COURT CUDDALORE... RESPONDENTS in WP No.813 of
2014

1 THE INSPECTOR OF LABOUR
THIRUVANNAMALAI

2 A.JEGADESAN
3 K.THIRUMALAI
4 S.PRAKASH
5 R.VINAYAGAMURTHI
6 M.RAHIM
7 S.MOHAN

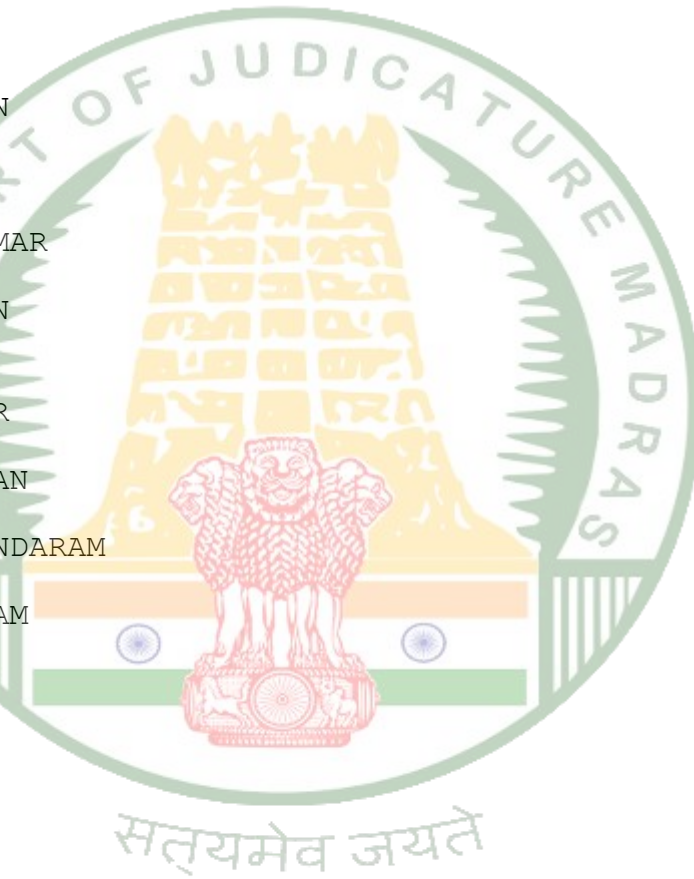
8 A.PERUMAL ... RESPONDENTS in WP No.2335 of 2014

1 THE INSPECTOR OF LABOUR
THIRUVANNAMALAI

2 K.KUMAR
3 K.PALANI
4 D.THIRUSELVAN
5 N.DAYALAN
6 M.MANIKANDAN

.. RESPONDENTS in WP No.2336 of 2014

1 INSPECTOR OF LABOUR
TIRUPPUR DISTRICT.
2 A.R.SRINIVASAN
3 K.ESWARAN
4 R.SELVAN
5 M.SHANMUGAM
6 C.KUMAR
7 P.PALANISAMY
8 A.AYYASAMY
9 A.NAGAVENDHAN
10 K.SELVAN
11 K.VELUMANI
12 P.MUTHUSAMY
13 R.SARAVANAKUMAR
14 K.MURUGAIYAN
15 K.KARTHIKEYAN
16 P.DHANAPAL
17 S.RAYAPPAN
18 K.VIJAYAKUMAR
19 S.PALANISAMY
20 N.RAMACHANDRAN
21 A.RAGHUPATHY
22 R.SHANMUGASUNDARAM
23 M.KUMAR
24 K.SUBRAMANIAM
25 R.KUMARASAMY
26 S.MUTHUSAMY
27 M.RAJENDRAN
28 N.MURUGESAN
29 K.AYYAPPAN
30 V.AYYAPPAN
31 R.MUTHUSAMY
32 A.SARAVANAN
33 S.SENTHILKUMAR
34 V.RAMESH
35 M.JOTHIBASU
36 J.DEVARAJ
37 S.FRANCIS JAVIER
38 A.MARIA FRANCIS
39 M.ARPUTHARAJ
40 G.ARUMUGAM
41 M.DEVARAJ
42 C.VELLAIYAN
43 S.NANDAKUMAR
44 P.KUPPUSAMY



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45 A.SELVARAJ
46 K.THANGARAJ
47 K.DIVYAPRAVEEN
48 M.SARAVANAKUMAR
49 M.SUBRAMANIAM
50 M.SUNDARAJAN
51 P.VELUSAMY
52 R.RAVI
53 C.MANIGANDAN
54 C.RAMACHANDRAN
55 P.NAGARAJAN
56 R.PRAKASH
57 LAKSHMANAN
58 M.VELMURUGAN
59 R.GURUSAMY
60 A.MURUGESAN
61 K.P.DHANAPAL

... RESPONDENTS in WP No.26937 of
2014

1 INSPECTOR OF LABOUR
ERODE
2 K.CHINNAGURUNATHAN
3 K.SARAVANAN
4 D.CHINNARAJ
5 R.BALAMURUGAN
6 C.GOVINDARAJAN
7 M.MOHAN
8 K.M.UTHAYAKUMAR
9 K.K.PRABHU
10 S.SHANMUGASUNDARAM

... RESPONDENTS in WP No.4674 of
2013

1 INSPECTOR OF LABOUR
NAMAKKAL
2 M.P.ANANDHAN
3 C.P.VENKATACHALAM
4 R.ARUNSAKTHI
5 P.PAZHANIAPPAN
6 A.S.GHAJA MOHIDEEN
7 G.VENKATESAN
8 M.KAMARAJ
9 M.THAMBIKALA
10 M.CHITHAN
11 M.P.DINESHKUMAR

... RESPONDENTS in WP No.5707 of 2013

1 INSPECTOR OF LABOUR
SALEM
2 G.ARCHUNAN
3 M.AASAITHAMBI
4 G.DINESHKUMAR
5 P.MUTHUSAMY
6 R.GOKULAKRISHNAN
7 K.PRAKASAM

8 M.GOVINDHARAJ
9 G.PONMURUGAN
10 P.SARAVANAN
11 M.SAGADEVAN
12 M.ANNADURAI
13 P.VELMURUGAN
14 V.AZHAGAPPAN
15 G.RAMASELVAN
16 R.MURUGAN
17 A.VENKATACHALAM
18 N.SAKTHIVEL
19 K.SHANKAR
20 K.SENTHIL KUMAR
21 M.PAZHANIVELAN
22 K.PAZHANISAMY
23 K.MUTHUKUMAR
24 V.THEVENDRAN
25 S. THAMBIDURAI
26 S.SADASIVAM
27 A.SRINIVASAN
28 M.RANJITH KUMAR
29 N.BALASUBRAMANI
30 P.RAAMAR
31 AI. SARAVANAN
32 S.NATESAN
33 S.MURUGAN
34 P.THIYAGARAJAN

... RESPONDENTS in WP
No.5708 of 2013

1 INSPECTOR OF LABOUR
SALEM
2 P.KUMAR
3 M.GUNASEKARAN
4 A.KATHIRAVAN
5 K.RAJAGOPAL
6 K.EZHUMALAI
7 K.SIVAM
8 C.SUGUMAR
9 N.THANGARAJ
10 M.Perumal

11 C.Krishnamoorthy ... RESPONDENTS in WP No.5709 of 2013
1 INSPECTOR OF LABOUR
SALEM
2 M.MARIAPPAN
3 R.MAARIKOUNDAR
4 R.MOORTHY
5 K.SUNDARAM
6 P.RAMASAMY
7 S.RAVICHANDRAN
8 K.THAMBI
9 N.NATARAJAN

10 M.SARAVANAN
11 K.MANI
12 R.BALAN
13 K.SANKAR
14 M.RANJITHKUMAR
15 S.AANAI GOUNDER ... RESPONDENTS in WP No.5710 of 2013
1 INSPECTOR OF LABOUR
SALEM
2 V.VELMURUGAN
3 G.MURUGAN
4 G.ARULNATHAN ... RESPONDENTS in WP No.21137 of 2013

1.The Inspector of labour Namakkal
2.M.Govindaraj
3.A.Dhanasekaran
4.V.Vadivel ... Respondents in WP.No.30916/2013
1 THE INSPECTOR OF LABOUR
SALEM.
2 S.MATHESWARAN ... RESPONDENTS in WP No.33495 of 2013
1 THE INSPECTOR OF LABOUR
SALEM
2 N.SUBRAMANIAN
3 N.SADASIVAM ... RESPONDENTS in WP No.33496 of 2013
1 THE INSPECTOR OF LABOUR
VILLUPURAM
2 S.PANDIYAN ... RESPONDENTS in WP No.33041 of 2013
1 THE INSPECTOR OF LABOUR
VILLUPURAM
2 G.DURAIMURUGAN ... RESPONDENTS in WP No.33042 of 2013
1 THE INSPECTOR OF LABOUR
VILLUPURAM
2 M.SELVARAJAI ... RESPONDENTS in WP No.33043 of 2013
1 THE INSPECTOR OF LABOUR
VILLUPURAM
2 K.RAVI ... RESPONDENTS in WP No.33044 of 2013
1 THE INSPECTOR OF LABOUR
VILLUPURAM
2 R.DHANASEKARAN ... RESPONDENTS in WP No.33045 of 2013
1 THE INSPECTOR OF LABOUR
VILLUPURAM
2 H.DURAISAMY ... RESPONDENTS in WP No.33047 of 2013
1 THE INSPECTOR OF LABOUR
VILLUPURAM
2 P.THANIGAIMALAI
3 A.MUTHUVEL ... RESPONDENTS in WP No.33048 of 2013
1 THE INSPECTOR OF LABOUR
VILLUPURAM
2 S.KUMARAN
3 M. SUNDAR
4 M. SHANMUGAM

5 A. ELUMALAI
6 E.VEERARAJA PANDIYAN
7 K.DEIVAPATHASEKARAN
8 S.MANIVANNAN
9 S.GOVINDARAJI
10 A.MOHANDOSS

... RESPONDENTS in WP No.33049 of 2013

1.The Government of Tamil Nadu
Rep by its Secretary to Government energy
Department Chennai-9
2.The Government of Tamil Nadu
Rep by its Secretary to Government Labour
and Employment Department Chennai-9
3.The Inspector of Labour
Erode

4.K.Subramaniam
5.R.S.Devaraju
6.S.Ramakrishnan
7.I.Kuppamuthu
8.S.Kumar
9.M.Palanisamy
10.C.Devarajan
11.S.Chandran
12.S.Nagaraj
13.R.Rameshkumar
14.K.Velusamy
15.R.Sankaran
16.P.Gopal
17.P.Saravanan
18.T.Arjunan
19.K.Menon
20.S.Tavisiappan
21.D.Ramanathan
22.T.Sridhar
23.A.Vellingiri
24.A.Yuvaraj
25.D.Chandran
26.K.Thangavel
27.A.V.Palanisamy

...Respondent in WP.30629/2005

1 THE GOVERNMENT OF TAMILNADU
REP. BY ITS SECRETARY TO GOVT.
ENERGY DEPT. CHENNAI-9.
2 THE GOVERNMENT OF TAMILNADU
REP. BY ITS SECRETARY TO GOVT. LABOUR AND
EMPLOYMENT DEPT. CHENNAI-9.
3 THE INSPECTOR OF LABOUR
ERODE.
4 C. ARUMUGHAM
5 S. MARIMUTHU

6 K. NATARASU
7 K. KALAIRASAN
8 S. KANDAN
9 S. APPUSAMY
10 K. RAJA
11 C. MURUGESAN
12 K. SAKTHIVEL
13 S. SELVARATHINAM
14 R. SEMBANAN
15 S. PONNAN
16 MADHAN
17 S. RAMALINGAM
18 T.M.SIVAKUMAR

... RESPONDENTS in WP No.39789
of 2005

WP No.358 of 2018

Petition filed Under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for the records of the First Respondent in proceedings Pa.Mu.No.A/1929/ 2014, dated 22.06.2017, and quash the same

WP No.8244 of 2016

Petition filed Under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for the records of the 1st Respondent, in relation to his proceedings in Na.Ka. NO. E/4112/2012 dated 04.04.2014 directing the petitioner to confer permanent status to the Respondents - 2 to 23 herein as workers in TANGEDCO/ Tiruppur Electricity Distribution Circle, Tiruppur and quash the same as illegal

WP No.813 of 2014

Petition filed Under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for the records relating to the award passed by the 2nd respondent made in C.P.8 of 2009 dated 16.6.2012 quash the same

WP No.2335 of 2014

Petition filed Under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for the records relating to the award passed by the 1st respondent made in Na. Ka. No.E/2501/2013 dated 20.9.2013 quash the same

WP No.2336 of 2014

Petition filed Under Article 226 of the Constitution of India to

issue a Writ of Certiorari, calling for the records relating to the award passed by the 1st respondent made in Na. Ka. No. E/972/2013 dt 30.8.2013, quash the same

WP No.26937 of 2014

Petition filed Under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for the records of the 1st Respondent in relation to his proceedings in Na.Ka.Nos. 3583/2010 and 369/2013 dated 28.06.2013 directing the Petitioner to confer permanent status to the Respondents 2 to 60 herein as workers in TANGEDCO / Tirupur Electricity Distribution Circle, Tirupur and quash the same as illegal

WP No.4674 of 2013

Petition filed Under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for the records of the 1st respondent, relating to his proceedings in Na.Ka. NO.4496/2008 dated 27.8.2010 and quash the same as illegal and without jurisdiction

WP No.5707 of 2013

Petition filed Under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for the records of the 1st respondent, in relation to his proceedings in Na.Ka. No.602/2008, dated 17.05.2010 directing the petitioner to confer permanent status to the respondents 2 to 11 herein as workers in TANGEDCO/Mettur Electricity Distribution Circle, Mettur and quash the same as illegal

WP No.5708 of 2013

Petition filed Under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for the records of the 1st respondent, in relation to his proceedings in Na. Ka. No.Aa. 2404/2008 dt 21.1.2010 directing the petitioner to confer permanent status to the respondents 2 to 34 herein as workers in TANGEDCO/Mettur Electricity Distribution Circle, Mettur and quash the same as illegal

WP No.5709 of 2013

Petition filed Under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for the records of the 1st respondent, in relation to his proceedings in Na. Ka. No.Aa. 3021/2009 dt 22.10.2010 directing the petitioner to confer permanent status to the respondents 2 to 11 herein as workers in

TANGEDCO/Mettur Electricity Distribution Circle, Mettur and quash the same as illegal

WP No.5710 of 2013

Petition filed Under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for the records of the 1st respondent, in relation to his proceedings in Na. Ka. No.716/2009 dt 30.10.2009 directing the petitioner to confer permanent status to the respondents 2 to 15 herein as workers in TANGEDCO/Mettur Electricity Distribution Circle, Mettur and quash the same as illegal

WP No.21137 of 2013

Petition filed Under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for the records of the 1st respondent, in relation to his proceedings in case No.830/2010 dt 22.10.2012 directing the petitioners to confer permanent status to the respondents 2 to 4 herein as workers in TANGEDCO/Mettur Electricity Distribution Circle, Mettur and quash the same as illegal

WP No.30916 of 2013

Petition filed Under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for the records of the 1st respondent in relation to his proceedings in Na.Ka. No.1765/2007 dated 2.4.2008 with respect to the respondents 2 to 4 and quash the same as illegal

WP No.33495 of 2013

Petition filed Under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for the records of the 1st respondent in relation to his proceedings in Na.Ka. No.CPSA 10/2008 dated 30.11.2009 directing the petitioner to confer permanent status to the 2nd respondent herein as workers in TANGEDCO/ Mettur Electricity Distribution Circle, Mettur and quash the same as illegal

WP No.33496 of 2013

Petition filed Under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for the records of the 1st respondent in relation to his proceedings in Na.Ka. No.677/ 2008 dated 30.11.2009 directing the petitioners to confer permanent status to the respondent 2 to 3 herein as workers in TANGEDCO/ Mettur Electricity Distribution Circle, Mettur and quash the

same as illegal

WP No.33041 of 2013

Petition filed Under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for the records relating to the award passed by the 1st respondent made in Na.Ka.No.A/2166/2007 dated 28.6.2013, quash the same

WP No.33042 of 2013

Petition filed Under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for the records relating to the award passed by the 1st respondent made in Na.Ka.No.A/481/2008 dated 28.6.2013, quash the same

WP No.33043 of 2013

Petition filed Under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for the records relating to the award passed by the 1st respondent made in Na.Ka.No.A/288/2008 dated 28.6.2013, quash the same

WP No.33044 of 2013

Petition filed Under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for the records relating to the award passed by the 1st respondent made in Na. Ka. No. A/482/2008 dt 28.6.2013, quash the same

WP No.33045 of 2013

Petition filed Under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for the records relating to the award passed by the 1st respondent made in Na. Ka. No. A/1215/2008 dt 28.6.2013, quash the same

WP No.33047 of 2013

Petition filed Under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for the records relating to the award passed by the 1st respondent made in Na. Ka. No. A/979/2009 dt 28.6.2013, quash the same

WP No.33048 of 2013

Petition filed Under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for the records relating to the award passed by the 1st respondent made in Na. Ka. No. A/1214/2008 dt 28.6.2013, quash the same

WP No.33049 of 2013

Petition filed Under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for the records relating to the award passed by the 1st respondent made in Na. Ka. No. A/1286/2008 dt 28.6.2013, quash the same

Prayer in WP Nos.30629 & 39789 of 2005

Petition filed Under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for the records of the third respondent relating to his proceedings dated 31.5.2005 and made in petition No.860/2004 and 895/2004 respectively and quash the same as illegal and without jurisdiction.

For Petitioner : Mr.G.Anand
in all WPs For M/s.T.S.Gopalan & Co.

For R1 : M/s.A.Sri Jayanthi,
in WP.No.358 of 2018 Special Government Pleader

For R2 to R29 : Mr.S.Doraisamy
in WP.No.358 of 2018
For R1 in WP.No.813/2014 ...Mrs.R.T.Shyamala
R2 in WP.No.813/2014 ...Court

For R1 to R3 : M/s.A.Sri Jayanthi,
in WP.No.39789 of 2005 Special Government Pleader

For RR4 to R14 & 16: Mr.S.Doraisamy
in WP.No.39789 of 2005
For R15 in WP.39789/2005: No Appearance

For R1 : M/s.A.Sri Jayanthi,
in WP.No.26937 of 2014 Special Government Pleader

For RR2 to 22, 24 : Mr.S.Doraisamy
to 55 and 57 to 60
in WP.No.26937 of 2014

For RR23 & 56 : Died
in WP.No.26937 of 2014

For R61 : No Appearance
in WP.No.26937 of 2014

For RR1 : M/s.A.Sri Jayanthi,
in WP.No.21137 of 2013 Special Government Pleader

For RR2 to 4 : Mr.S.Doraisamy
in WP.No.21137 of 2013

For RR1 : M/s.A.Sri Jayanthi,
in WP.No.2335 of 2014 Special Government Pleader

For RR2,3,6 to 8 : Mr.K.Chandran
in WP.No.2335 of 2014

For RR4 & 5 : No Appearance
in WP.No.2335 of 2014

For R1 : M/s.A.Sri Jayanthi,
in WP.No.4674 of 2013 Special Government Pleader

For RR2 to 5 : Mr.M.Muthupandian
in WP.No.4674 of 2013

For RR1 : M/s.A.Sri Jayanthi,
in WP.No.8244 of 2016 Special Government Pleader

For R9 : Mr.P.K.KarunaKumar
For RR3,5,6,12,13 : Mr.V.Ajoy Khose
14,17,18,20,21,22&23
in WP.No.8244 of 2016

For RR2,7,8,10,11, : No Appearance
15,16&19
in WP.No.8244 of 2016

For R1 : M/s.A.Sri Jayanthi,

in WP.No.33495 & 33496 of 2013
Special Government Pleader

For RR2 & 3 : Mr.K.Selvaraj
in WP.No.33496 of 2013
and for R2 in WP.33495/2013

For R1 : M/s.A.Sri Jayanthi,
in WP.Nos.33041 to 33043 of 2013 Special Government Pleader

For R2 : Mr.S.N.Ravichandran

in WP.Nos.33041 to 33043 of 2013

For R1 : M/s.A.Sri Jayanthi,
in WP.No.2336 of 2014 Special Government Pleader

For RR2 to 6 : Mr.N.A.Malai Saravanan
in WP.No.2336 of 2014

For R1 : M/s.A.Sri Jayanthi,
in WP.No.30916 of 2013 Special Government Pleader

For RR2 & 4 : Mr.G.Sankaran
in WP.No.30916 of 2013

For R3 : Mr.G.Muthukumar
in WP.No.30916 of 2013

For RR1 : M/s.A.Sri Jayanthi,
in WP.No.30629 of 2005 Special Government Pleader

For RR12,22,24, : Mr.S.Doraisamy
25 & 26
in WP.No.30629 of 2005

For RR4 to 11,13, : No Appearance
14 to 21, 23 & 27
in WP.No.30629 of 2005

For R1 : M/s.A.Sri Jayanthi,
in WP.Nos.33044, 33045 & 33047 Special Government Pleader
to 33049 of 2013

For R2 : Mr.Philip Ravindran Jesudoss
in WP.No.33044 of 2013

For R2 : Mr.S.N.Ravichandran
in WP.Nos.33045, 33047,
33048 & 33049 of 2013

For R1 : M/s.A.Sri Jayanthi,
in WP.Nos.5707 to 5710 of 2013 Special Government Pleader

For RR2 to 11 : Mr.S.Elamurugan
in WP.Nos.5707 & 5709 of 2013

For RR2 to 34 : Mr.S.Elamurugan
in WP.No.5708 of 2013

For RR2 to 15 : Mr.S.Elamurugan
in WP.No.5710 of 2013

C O M M O N O R D E R

These writ petitions are filed challenging the award passed by the Inspector of Labours granting permanent status to the workmen by the Tamilnadu Electricity Board.

2.The learned counsel appearing on behalf of the workmen made a submission that the board after 12(3) settlement dated 10.08.2007 issued orders in B.P.(Chairman)No.9, Administrative Branch, date 09.01.2008, granting permanent absorption for contract labourers, who all are not covered by 12(3) Settlement. Certain conditions are stipulated in the Board proceedings dated 09.01.2008 for granting permanent absorption.

3.The learned counsel appearing on behalf of the writ petitioner/ management made a submission that the petitioners are not having any objection for considering the case of the workmen in the light of the terms and conditions as stipulated in B.P. No.9, dated 09.01.2008. In view of the said submissions, the learned counsel appearing for the workmen also agreed and filed their memo stating that the case of the workmen may be considered by the writ petitioners management in terms of the B.P.No.9 dated 09.01.2008.

4.In this view of the matter, the workmen are permitted to submit fresh representations to the writ petitioners management, within a period of three(3) weeks from the date of receipt of a copy of this order, along with all necessary documents establishing their engagement as contract labourer. In the event of receiving any such representation from the workmen, the writ petitioner management is directed to consider the same, in the light of the Board proceedings issued dated 09.01.2008 and pass orders on merits and in accordance with law, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

5.In view of the submissions made by the learned counsel appearing on behalf of the workmen, the order passed by the Inspector of Labour granting permanent status cannot be insisted upon and in the event of considering the case of the workmen in the light of the B.P.No.9 dated 09.01.2008, the orders passed by the Inspector of Labour need not be given effect to.

6. Accordingly, these writ petitions stand disposed of. Consequently, connected miscellaneous petitions are closed. However, there is no order as to costs.

Sd/-
Assistant Registrar(CCC)
Dated: 22/05/2018

*** Corrected order to be
issued by**

**sd/-
Sub Assistant Registrar
Dated :20/07/2018**

//True Copy//

Sub Assistant Registrar

may

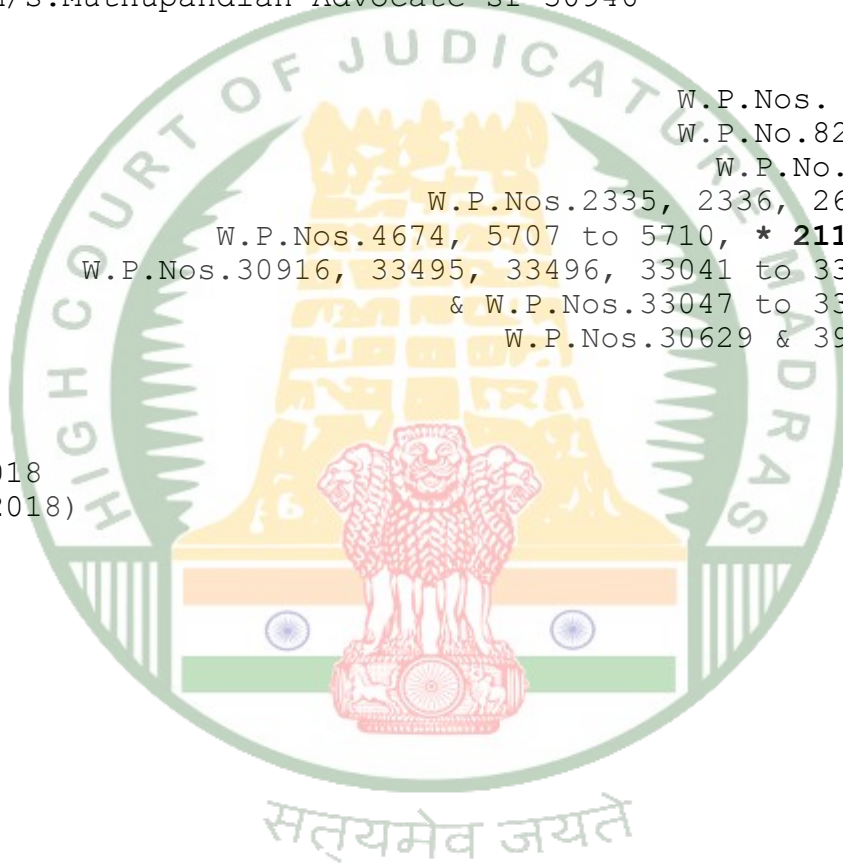
To

1. The Inspector of Labour,
Namakkal.
2. The Inspector of Labour,
Salem.
3. The Inspector of Labour,
Villupuram.
4. The Inspector of Labour,
Thiruvannamalai.
5. The Inspector of Labour,
Thiruppur.
6. The Inspector of Labour,
Erode.
7. The Secretary to Government
Energy Department,
Chennai - 600 009.
8. The Secretary to Government
Labour and Employment Department
Chennai - 600 009.
9. The Presiding Officer
Labour Court, Cuddalore.

to be substituted to
This order despatched on
dated : 28/05/2018

+1 cc to M/s.V.Ajoykhose Advocate sr 30576
+1 cc to M/s.R.T.Shyamala Advocate sr 30847
+1 cc to M/s.K.Selvaraj Advocate sr 30213
+5 ccs to M/s.S.Doraisamy Advocate sr 30817,30819 to 30822

+7 ccs to M/s.S.N.Ravichandran Advocate sr 30907
30906 & 30905
+3 ccs to M/s.T.S.Gopalan & Co Advocate sr 30454 &30455 &
31640
+1 cc to M/s.Karunakumar Advocate sr 30434
+1 cc to M/s.N.A.MalaiSaravanan Advocate sr 31066
+4 ccs to M/s.S.Elamurugan Advocate sr 30848
+1 cc to M/s.Muthupandian Advocate sr 30946



W.P.Nos. 358 of 2018
W.P.No.8244 of 2016,
W.P.No.813 of 2014
W.P.Nos.2335, 2336, 26937 of 2014
W.P.Nos.4674, 5707 to 5710, * **21137 of 2013**
W.P.Nos.30916, 33495, 33496, 33041 to 33045 of 2013
& W.P.Nos.33047 to 33049 of 2013
W.P.Nos.30629 & 39789 of 2005

cnr(co)
aa23/05/2018
GN(20/07/2018)

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