

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-12-2018

CORAM

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

W.P.No.31199 of 2005

And

W.P.M.P.No.34187 of 2005

P.Sundari

...Petitioner

Vs

1.Special Officer,
Neyveli Lignite Corporation,
Industrial Co-operative Services Society Ltd.,
Neyveli-7,
Cuddalore.

2.Chief General manager,
Thermal Power Station II,
Neyveli Lignite Corporation,
Neyveli,
Cuddalore.

.... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records, pertaining to the order passed by the first respondent in proceedings No.SO/NLC Ind Co/489/2004, dated 17.8.2004, and quash the same, and direct the second respondent to absorb the petitioner as a Permanent Worker from the date on which the petitioner's junior was absorbed, with all consequential and other attendant benefits considering the petitioner's Date of Birth as 30.10.1956.

For Petitioner : Mr.S.Kamadevan

For Respondent-1 : Mr.G.Anand for
M/s.T.S.Gopalan & Co.

For Respondent-2 : Mr.N.Nithianandam

O R D E R

The rejection of the claim of the writ petitioner for alteration of date of birth, is under challenge in the present writ petition.

2. The writ petitioner made a request for her absorption in Thermal Power Station in her capacity as a contract labourer in the first respondent/Neyveli Lignite Corporation. On account of the erroneous entry in her Date of Birth Certificate, the writ petitioner is unable to avail the benefits of permanent absorption in the second respondent/Thermal Power Station. Thus, the writ petitioner made a request to change the date of birth by accepting the Birth Certificate issued by the local authority.

3. However, the fact remains that writ petitioner was serving as a contract labourer in the first respondent-Corporation. Thus, the question of absorption cannot be granted in the present writ petition.

4. In view of the fact that the petitioner would be now 70 years and therefore, the claim of the writ petitioner cannot be granted, even if the date is altered as per her own request.

5. In this view of the matter, the cause aroused need not be adjudicated, in view of the efflux of time. Accordingly, the writ petition stands closed. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

Svn

To

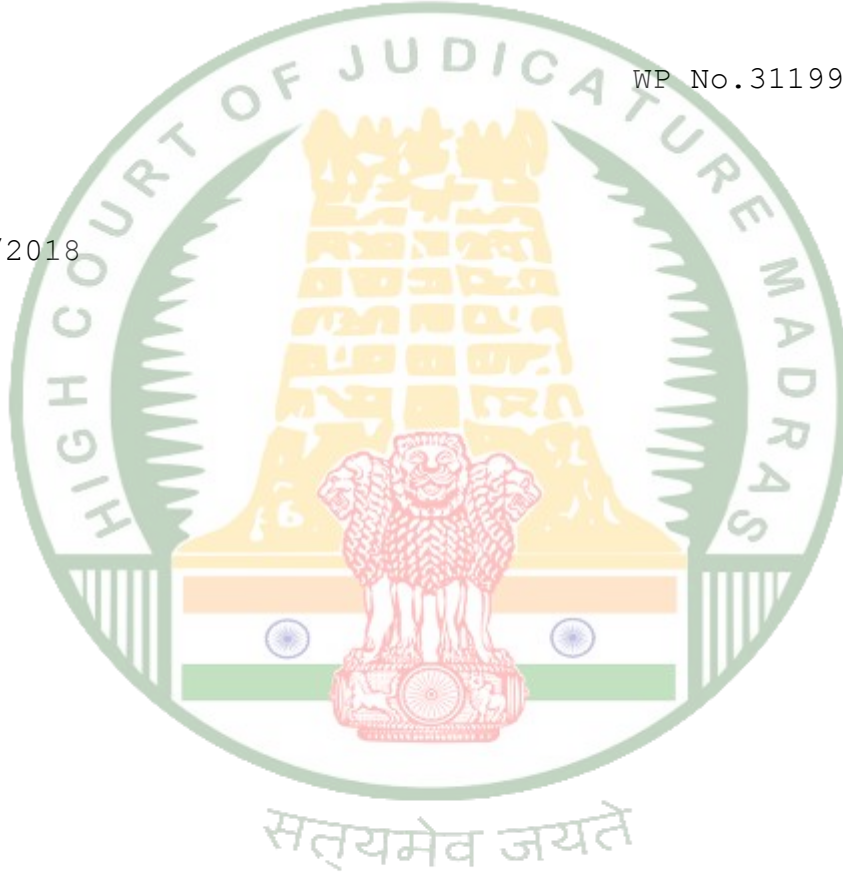
1. Special Officer,
Neyveli Lignite Corporation,
Industrial Co-operative Services Society Ltd.,
Neyveli-7, Cuddalore.

2.Chief General manager,
Thermal Power Station II,
Neyveli Lignite Corporation,
Neyveli,
Cuddalore.

+lcc to Mr.S.Kamadevan, Advocate Sr.84758
+lcc to Mr.N.Nithianandam, Advocate Sr.84710
+lcc to M/S.T.S.Gopalan & Co Sr.84536

WP No.31199 of 2005

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