

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 26.03.2018

CORAM

THE HONOURABLE MR. JUSTICE T.RAJA

W.P. No.6894 of 2018
and W.M.P.No.8540 of 2018

- 1.The Executive Engineer,
Tamil Nadu Water Supply and
Drainage Board,
Maintenance Division, No.5(1),
College Road, 2nd Cross Street,
Odakadu, Tirupur.
- 2.The Managing Director,
Tamil Nadu Water Supply and
Drainage Board,
No.31, Kamarajar Salai,
Chepauk, Chennai - 600 005. ... Petitioners

Vs.

- 1.The Inspector of Labour, Tirupur,
[Authority under the Tamil Nadu
Industrial Establishment (Conferment of
Permanent Status to Workmen) Act, 1981].
- 2.K.Perumal
3.S.Eswaran
4.P.Karuppusami
5.K.Suresh
6.K.Murugan
7.N.Murugavel
8.S.Seniyappan ... Respondents

PRAYER : Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, to call for the records made in the impugned Award Na.Ka.No.E/2350/2011 dated 17.12.2014, passed by the Inspector of Labour, Tirupur [Authority under the Tamil Nadu Industrial Establishment (Conferment of Permanent status to workmen) Act, 1981], the first respondent, quash the same.

For Petitioner : Mr.S.Eraskine Leo
For Respondent No.1 : Mr.V.Kadhirvelu
Special Government Pleader

O R D E R

By consent, this Writ Petition is taken up and disposed of at the stage of admission itself.

2.This Writ Petition is directed against the old order dated 17.12.2014 passed by the Inspector of Labour, Tirupur, the first respondent herein, taking various grounds and one among the ground says that when their being any relationship of employer employee between the petitioner and the respondent and also overlooking the fact that all the workmen / employees are working, the respondents 2 to 7 are working under the contract basis, the first respondent has wrongly passed the order.

3. But, this Court is not inclined to entertain the said claim made by the petitioners. The reason is that when the first respondent has passed the order impugned on 17.12.2014, finding fault in support of questioning the correctness of the impugned order, it is not found anywhere in the affidavit filed in support of the petitioners even one word of explanation leave alone the sufficient cause. Therefore, holding the petitioners as guilty of latches. Accordingly, the Writ Petition fails and the same is dismissed on the ground of delay. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

sri
To

The Inspector of Labour, Tirupur,
[Authority under the Tamil Nadu
Industrial Establishment (Conferment of
Permanent Status to Workmen) Act, 1981].

+lcc to Mr.S.ERASKINE LEO, Advocate, S.R.No. 22736

+lcc to the Government Pleader, S.R.No. 24643

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RJI (CO)
TR(19/04/2018)