

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.02.2018

CORAM

THE HONOURABLE MR.JUSTICE SATRUGHANA PUJAHARI

W.P.Nos.13051 to 13057 of 2013
and M.P.Nos.1 & 2 to 2 of 2013

W.P.No.13051 of 2013

- 1.The Managing Director,
Tamil Nadu Civil Supplies Corporation Ltd.,
No.12, Thambusamy Salai,
Kilpauk, Chennai-600 010.
- 2.The Senior Regional Manager,
Tamil Nadu Civil supplies Corporation Ltd.,
Cuddalore Region, Cuddalore. Petitioners

Vs.

- 1.Mangalakshmi
- 2.Anjalakshmi
- 3.Pachaiammal
- 4.Mary
- 5.The Inspector of Labour,
Cuddalore. (given up) Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari, calling for the records relating to the order made in Case No.5214 of 2009 dated 11.07.2012 on the file of the 5th respondent/Inspector of Labour, Cuddalore and quash the same.

For Petitioners : Mr.C.Munusamy

For RR1 to 4 : Mr.R.Saravanan
For M/s.Sai Bharath & Ilan
R5 : Given up

W.P.No.13052 of 2013

- 1.The Managing Director,
Tamil Nadu Civil Supplies Corporation Ltd.,
No.12, Thambusamy Salai,
Kilpauk, Chennai-600 010.

2.The Senior Regional Manager,
Tamil Nadu Civil supplies Corporation Ltd.,
Cuddalore Region, Cuddalore. ... Petitioners

Vs.

1.Lakshmi
2.The Inspector of Labour,
Cuddalore. (given up) ... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari, calling for the records relating to the order made in Case No.1071 of 2012 dated 11.07.2012 on the file of the 2nd respondent/Inspector of Labour, Cuddalore and quash the same.

For Petitioners : Mr.C.Munusamy
For R1 : Mr.R.Saravanan
For M/s.Sai Bharath & Ilan
R2 : Given up

W.P.No.13053 of 2013

1.The Managing Director,
Tamil Nadu Civil Supplies Corporation Ltd.,
No.12, Thambusamy Salai,
Kilpauk, Chennai-600 010.
2.The Senior Regional Manager,
Tamil Nadu Civil supplies Corporation Ltd.,
Cuddalore Region, Cuddalore. ... Petitioners

Vs.

1.Mayavan
2.Manickam
3.Chandra
4.Meera
5.The Inspector of Labour,
Cuddalore. (given up) ... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari, calling for the records relating to the order made in Case No.407 of 2010 dated 11.07.2012 on the file of the 5th respondent/Inspector of Labour, Cuddalore and quash the same.

For Petitioners : Mr.C.Munusamy
For RR1 to 4 : Mr.R.Saravanan
For M/s.Sai Bharath & Ilan
R5 : Given up

W.P.No.13054 of 2013

- 1.The Managing Director,
Tamil Nadu Civil Supplies Corporation Ltd.,
No.12, Thambusamy Salai,
Kilpauk, Chennai-600 010.
- 2.The Senior Regional Manager,
Tamil Nadu Civil supplies Corporation Ltd.,
Cuddalore Region, Cuddalore. ... Petitioners

Vs.

- 1.Jeyakodi
- 2.The Inspector of Labour,
Cuddalore. (given up) ... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari, calling for the records relating to the order made in Case No.405 of 2010 dated 11.07.2012 on the file of the 2nd respondent/Inspector of Labour, Cuddalore and quash the same.

For Petitioners : Mr.C.Munusamy
For R1 : Mr.R.Saravanan
For M/s.Sai Bharath & Ilan
R2 : Given up

W.P.No.13055 of 2013

- 1.The Managing Director,
Tamil Nadu Civil Supplies Corporation Ltd.,
No.12, Thambusamy Salai,
Kilpauk, Chennai-600 010.
- 2.The Senior Regional Manager,
Tamil Nadu Civil supplies Corporation Ltd.,
Cuddalore Region, Coimbatore. ... Petitioners

Vs.

- 1.Uma
- 2.Rani
- 3.Veerammal
- 4.The Inspector of Labour,
Cuddalore. (given up) ... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari, calling for the records relating to the order made in Case No.5215 of 2009 dated 11.07.2012 on the file of the 4th respondent/Inspector of Labour, Cuddalore and quash the same.

For Petitioners : Mr.C.Munusamy
For RR1 to 3 : Mr.R.Saravanan
For M/s.Sai Bharath & Ilan
R4 : Given up

W.P.No.13056 of 2013

1.The Managing Director,
Tamil Nadu Civil Supplies Corporation Ltd.,
No.12, Thambusamy Salai,
Kilpauk, Chennai-600 010.
2.The Senior Regional Manager,
Tamil Nadu Civil supplies Corporation Ltd.,
Cuddalore Region, Cuddalore. ... Petitioners
Vs.
1.Rani
2.The Inspector of Labour,
Cuddalore. (given up) ...
Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari, calling for the records relating to the order made in Case No.406 of 2010 dated 11.07.2012 on the file of the 2nd respondent/Inspector of Labour, Cuddalore and quash the same.

For Petitioners : Mr.C.Munusamy
For R1 : Mr.R.Saravanan
For M/s.Sai Bharath & Ilan
R2 : Given up

W.P.No.13057 of 2013

1.The Managing Director,
Tamil Nadu Civil Supplies Corporation Ltd.,
No.12, Thambusamy Salai,
Kilpauk, Chennai-600 010.
2.The Senior Regional Manager,
Tamil Nadu Civil supplies Corporation Ltd.,
Cuddalore Region, Coimbatore. ... Petitioners

Vs.

1.Chandra
2.Muthulakshmi
3.Gundukanni
4.The Inspector of Labour,
Cuddalore. (given up)

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari, calling for the records relating to the order made in Case No.5216 of 2009 dated 11.07.2012 on the file of the 4th respondent/Inspector of Labour, Cuddalore and quash the same.

For Petitioners : Mr.C.Munusamy
For RR1 to 3 : Mr.R.Saravanan
For M/s.Sai Bharath & Ilan
R4 : Given up

C O M M O N O R D E R

These writ petitions have been filed, challenging the order of the Inspector of Labour, Cuddalore. Since similar question of law and facts are involved, they are heard together and disposed of by this common order. It appears that the writ petitions have been filed by the Tamil Nadu Civil Supplies Corporation Limited, challenging the orders dated 11.07.2012, passed by the Inspector of Labour, granting permanent status to the private respondents under the Tamil Nadu Industrial Establishments (Conferment of Permanent Status to Workmen) Act, 1981. According to the writ petitioners, since the private respondents were not employed by the petitioner, the impugned order passed is liable to be set aside. The same has been contested by the private respondents by filing a counter affidavit in all the writ petitions with the averment that the same is without any substance in as much as they were employed directly by the Tamil Nadu Civil Supplies Corporation Limited as sweepers, load man etc.

2. It is contended by the learned counsel appearing for the workmen/respondents in all the writ petitions, who are the contesting respondents, that this case is squarely covered by Judgment of this Court rendered in W.P.Nos.27249 & 27250 of 2005 dated 16.06.2008, wherein, the contention of the petitioner challenging such order of the Labour Inspector has been rejected and the order of Labour Inspector granting permanent status has been confirmed. The same is not disputed by the learned counsel

appearing for the writ petitioner.

3. In such view of the matter, this Court finds no substance in the writ petition filed challenging the order passed by the Labour Inspector and accordingly, the same is dismissed. However, no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-ii)

//True Copy//

Sub Assistant Registrar

rsi/abr

To

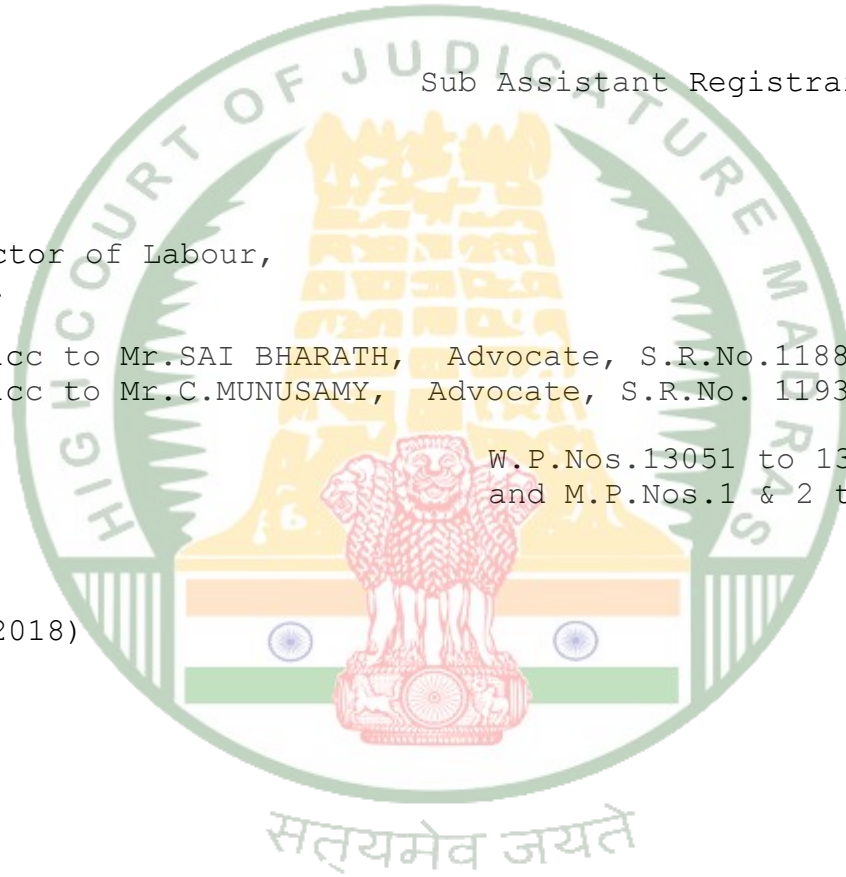
The Inspector of Labour,
Cuddalore.

+1cc to Mr.SAI BHARATH, Advocate, S.R.No.11882

+1cc to Mr.C.MUNUSAMY, Advocate, S.R.No. 11938

W.P.Nos.13051 to 13057 of 2013
and M.P.Nos.1 & 2 to 2 of 2013

LRS (CO)
TR(07/03/2018)



WEB COPY