

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.07.2018

CORAM

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

W.P.Nos.17353 to 17358 of 2018

K.Periyannan .. Petitioner in WP 17353/18
G.Rajendran .. Petitioner in WP 17354/18
P.Srinivasan .. Petitioner in WP 17355/18
K.Ramanathan .. Petitioner in WP 17356/18
K.Jagan .. Petitioner in WP 17357/18
R.Palani .. Petitioner in WP 17358/18

Vs

- 1.The Chairman Cum Managing Director,
Tamil Nadu Generation and Distribution Corporation Ltd.,
No.144, Annasalai,
Chennai- 600 002.
- 2.The Chief Engineering Personnel,
Tamil Nadu Generation and Distribution Corporation Ltd.,
No.144, Annasalai,
Chennai-600 002.
- 3.The Superintending Engineer,
Pollur Electricity Distribution Circle,
Tamil Nadu Generation and Distribution Corporation Ltd.,
Vengikaal,
Thiruvannamalai District. ...Respondents in all Wps.

COMMON PRAYER : Petitions filed under Article 226 of the Constitution of India to issue of Writs of Mandamus, directing the respondents to absorb the petitioner into respondents Corporation Service by considering the petitioner Representation dated 29.11.2017 in the light of order dated 12.06.2000 made in Na.Ka.(A)No.3587/1999 passed by Inspector of Labour, Thiruvannamalai.

For Petitioner : M/s.R.Nasrine
in all Wps

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

C O M M O N O R D E R

These writ petitions are filed to direct the respondents to absorb the petitioner into respondents Corporation Service by considering the petitioner Representation dated 29.11.2017 in the light of order dated 12.06.2000 made in Na.Ka.(A) No.3587/1999 passed by Inspector of Labour, Thiruvannamalai.

2. The learned counsel appearing on behalf of the writ petitioners/workmen made a submission that the Representation dated 29.11.2017 in the light of order dated 12.06.2000 made in Na.Ka.(A)No.3587/1999 passed by Inspector of Labour, Thiruvannamalai, 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 respondents made a submission that the respondents are not having any objection for considering the case of the writ petitioners/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 writ petitioners/workmen also agreed and filed their memo stating that the case of the writ petitioners/workmen may be considered by the respondents in terms of the B.P.No.9 dated 09.01.2008.

4. In this view of the matter, the writ petitioners/workmen are permitted to submit fresh representations to the respondents, within a period of three 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 writ petitioners/workmen, the respondents are 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 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 writ petitioners/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 writ petitioners/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, all the writ petitions stand disposed of. However, there shall be no order as to costs.

-s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

stm

To

1.The Chairman Cum Managing Director,
Tamil Nadu Generation and Distribution Corporation Ltd.,
No.144, Annasalai, Chennai- 600 002.

2.The Chief Engineering Personnel,
Tamil Nadu Generation and Distribution Corporation Ltd.,
No.144, Annasalai, Chennai-600 002.

3.The Superintending Engineer,
Pollur Electricity Distribution Circle,
Tamil Nadu Generation and Distribution Corporation Ltd.,
Vengikaal, Thiruvannamalai District.

+1 CC to M/s.T.S. Gopalan and Co, sr 46339.

+6 Ccs to Nasrine sr 47145,47146,47147,47148,47149,47150

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SP(30/07/2018)

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