

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19-11-2019

CORAM

THE HONOURABLE MR.JUSTICE S.M. SUBRAMANIAM

W.P.Nos.29337 to 29346 of 2011

And

M.P.Nos.1,1,1,1,1,1,1,1,1 and 1 of 2011

The Superintending Engineer,
Tirupattur Electricity Distribution Circle,
Tamil Nadu Electricity Board,
Tirupattur-635 601. ... Petitioner in all WPs

-vs-

The Presiding Officer,
Additional Labour Court,
Vellore

..	R-1 in all WPs
R.S.Murugan	.. R-2 in WP 29337/2011
N.Anandan	.. R-2 in WP 29338/2011
M.Munusamy	.. R-2 in WP 29339/2011
S.Prakasam	.. R-2 in WP 29340/2011
M.Raman	.. R-2 in WP 29341/2011
S.Sivakumar	.. R-2 in WP 29342/2011
R.Solaman	.. R-2 in WP 29343/2011
R.Paranthaman	.. R-2 in WP 29344/2011
M.Shanmugham	.. R-2 in WP 29345/2011
M.Kumaresan	.. R-2 in WP 29346/2011

Writ Petitions are filed under Article 226 of the Constitution of India praying for the issuance of Writs of Certiorari, calling for the records in Common Order passed by the first respondent in C.P.Nos.689, 686, 684, 683, 691, 690, 682, 685, 688 and 681 of 2003 and quash the same.

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

For Respondent-1 in all WPs : Labour Court

For Respondent-2 in all WPs : No Appearance

COMMON ORDER

The common order dated 11.02.2010 passed by the first respondent in C.P.Nos.689, 686, 684, 683, 691, 690, 682, 685, 688 and 681 of 2003, are under challenge in these writ petitions.

2. The writ petitioner/Tamil Nadu Electricity Board filed these writ petitions challenging the common order passed by the first respondent dated 11.02.2010.

3. The learned counsel for the writ petitioner made a submission that the Computation Petitions were filed by the workmen based on the orders passed by the Inspector of Labour. However, the orders passed by the Inspector of Labour, granting conferment had not been merged with the order of the Hon'ble Division Bench of this Court in W.A.No.1404 of 2005 dated 24.10.2008. After the Judgment of the Hon'ble Division Bench of this Court, the Board entered into a 12(3) settlement and subsequently, Board proceedings No.9 dated 09.01.2008 was also issued. Thereafter, all eligible workmen, who all are falling within the eligibility criteria fixed in the 12(3) settlement and Board proceedings No.9, were considered for permanent absorption and they were absorbed accordingly.

4. In view of the fact that the orders passed by the Inspector of Labour were considered by the Hon'ble Division Bench of this Court and the claim petitions filed pursuant to the orders passed by the Inspector of Labour, cannot be implemented, on account of the orders of the Division Bench of this Court, these writ petitions are to be considered. Accordingly, the common order dated 11.02.2010 passed in C.P.Nos.689, 686, 684, 683, 691, 690, 682, 685, 688 and 681 of 2003 are quashed and the writ petitions stand allowed. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

-s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

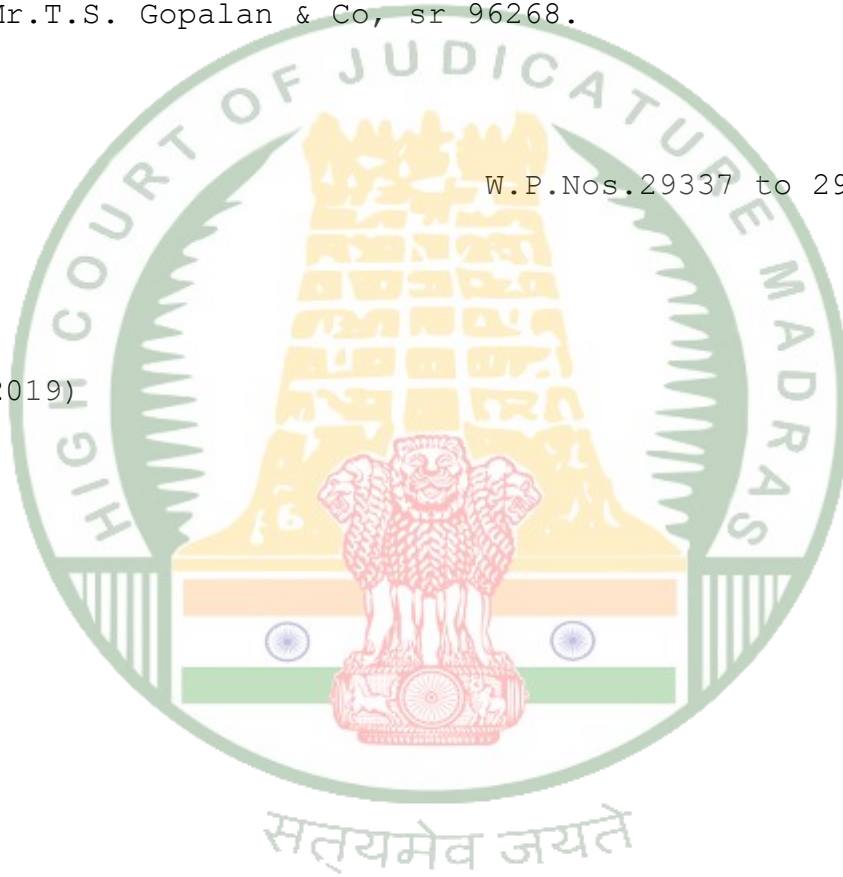
To

1. The Presiding Officer,
Additional Labour Court,
Vellore
2. The Superintending Engineer,
Tirupattur Electricity Distribution Circle,
Tamil Nadu Electricity Board,
Tirupattur-635 601.

+1 CC to Mr.T.S. Gopalan & Co, sr 96268.

W.P.Nos.29337 to 29346 of 2011

VSNI (CO)
SP(26/12/2019)



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