

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 12.09.2019

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.5154 of 2015

and

M.P.No.1 of 2015

1.R.Ranjith Kumar

2.M.Kannapiran

3.K.Tamilvendhan Petitioners

..Vs..

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

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

3.The Superintending Engineer,
Tamil Nadu Generation and Distribution Corporation Ltd,
Dharmapuri Electricity Distribution Circle,
Dharmapuri.

... Respondents

PRAYER : Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents to appoint the petitioner as Mazdoor in the 3rd respondent's office by implementing the order dated 07.03.2014 made in Pa.Mu.2844/20012 passed by the Inspector of Labour, Krishnagiri.

For Petitioners : Mr.K.Sasindran

For Respondents : Mr.Haroon AL Rasheed
for M/s.T.S.Gopalan & Co

O R D E R

The present writ petition is filed challenging the award passed by the Inspector of Labours granting permanent status to the workmen by the Tamil Nadu Electricity Board.

2.The learned counsel appearing on behalf of the workmen made a submission that the board after 12(3) settlement dated 10.08.2007 issued orders in B.P.(Chairman)No.9, Administrative Branch, date 09.01.2008, 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.In this view of the matter, the workmen are permitted to submit fresh representations to the writ petitioners management, within a period of three(3) 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 workmen, the writ petitioner management is 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 (12) weeks from the date of receipt of a copy of this order.

4.In view of the submissions made by the learned counsel appearing on behalf of the 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 workmen in the light of the B.P.No.9 dated 09.01.2008.

5.Accordingly, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

सत्यमेव जयते

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

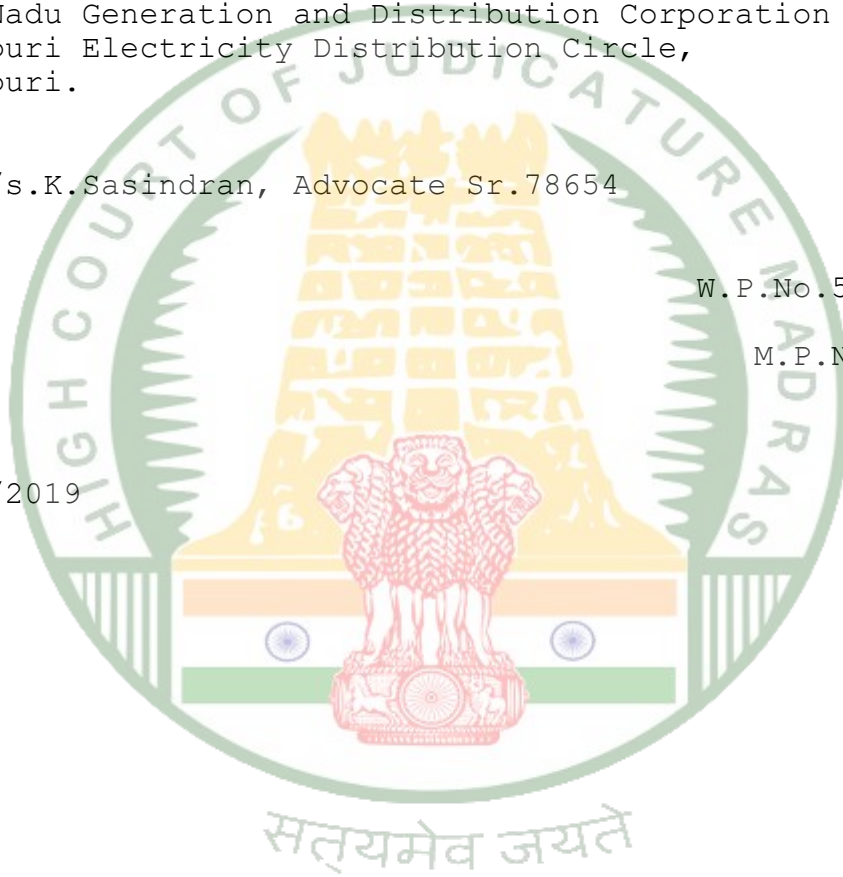
To

- 1.The Chairman-cum-Managing Director,
Tamil Nadu Generation and Distribution Corporation Ltd,
No.144, Annasalai, Chennai - 600 002.
- 2.The Chief Engineer(Personnel),
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No.144, Annasalai, Chennai - 600 002.
- 3.The Superintending Engineer,
Tamil Nadu Generation and Distribution Corporation Ltd,
Dharmapuri Electricity Distribution Circle,
Dharmapuri.

+lcc to M/s.K.Sasindran, Advocate Sr.78654

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