



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.04.2019

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) Nos.9712 to 9715 of 2019

R.Muthuvel ... Petitioner in WP(MD)No.9712/2019
P.Ayyanar ... Petitioner in WP(MD)No.9713/2019
R.Arun ... Petitioner in WP(MD)No.9714/2019
R.Amankan ... Petitioner in WP(MD)No.9715/2019

vs.

1.The Managing Director,
Tamil Nadu Civil Supplies Corporation Ltd.,
No.12, Thambusamy Road,
Kilpauk, Chennai - 10.

2.The General Manager (Administration),
Tamil Nadu Civil Supplies Corporation Ltd.,
No.12, Thambusamy Road,
Kilpauk, Chennai - 10.

3.The Regional Manager,
Tamil Nadu Civil Supplies Corporation Ltd.,
Madurai Region,
Kuruvikaran Road,
Madurai.

... Respondents in all the W.Ps.

Prayer: Writ Petitions filed under Article 226 of the Constitution of India praying to issue a Writ of mandamus directing the respondents to appoint the petitioners as Bill Clerks in Madurai Region as against the permanent vacancy on the basis of the Regional wise Seniority list in view of the settlement dated 30.01.1997 under section 12(3) of the Industrial Disputes Act and as per the order passed by the first respondent vide Na.Ka.AE2/60812/2008 dated 01.02.2013 by considering the respective representations of the petitioners dated 04.04.2019.

For Petitioners : Mr.D.Shanmugaraja Sethupathi

For Respondents : Mr.Raja Karthikeyan
in all the writ petitions.

COMMON ORDER

These writ petitions have been filed seeking a direction to the respondents to appoint the petitioners as Bill Clerks in Madurai Region, in view of the settlement dated 30.01.1997 effected under section 12(3) of the Industrial Disputes Act and as per the order passed by the first respondent in Na.Ka.AE2/60812/2008, dated 01.02.2013, by considering the respective representations of the petitioners dated 04.04.2019.

2.Heard the learned counsel appearing for the petitioners and the learned counsel for the respondents. By consent, the writ petitions are taken up for final disposal at the stage of admission itself.

3.The learned counsel appearing for the petitioners submitted that the petitioners made their respective representations dated 04.04.2019 to the respondents, seeking appointment as Bill Clerks in Madurai Region as against the permanent vacancy, on the basis of the Regional wise seniority list, as per the settlement dated 30.01.1997 effected under section 12(3) of the Industrial Disputes Act and also in view of the order passed by the first respondent in Na.Ka.AE2/60812/2008, dated 01.02.2013. Since the same have not been considered so far, the petitioners are before this Court, seeking the aforementioned relief.

4.The learned counsel appearing for the respondents, on instructions, submitted that the representations of the petitioners would be considered on merits and appropriate orders be passed.

5.In view of the above submission, this Court without going into the merits of the case, directs the respondents to consider the respective representations of the petitioner dated 04.04.2019, in view of the settlement dated 30.01.1997 effected under section 12(3) of the Industrial Disputes Act and also in view of the order passed by the first respondent in Na.Ka.AE2/60812/2008, dated 01.02.2013 and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioners.

6.The writ petitions are disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (Records)

// True Copy //



1.The Managing Director,
Tamil Nadu Civil Supplies Corporation Ltd.,
No.12, Thambusamy Road,
Kilpauk, Chennai - 10.

2.The General Manager (Administration),
Tamil Nadu Civil Supplies Corporation Ltd.,
No.12, Thambusamy Road,
Kilpauk, Chennai - 10.

3.The Regional Manager,
Tamil Nadu Civil Supplies Corporation Ltd.,
Madurai Region,
Kuruvikaran Road,
Madurai.

+1CC TO MR.D.SHANMUGARAJA SETHUPATHI, Advocate Sr. No. 62346

W.P(MD) Nos.9712 to 9715 of 2019

MT(CO)

TR (23.05.2019) 3P 5C