



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **07.08.2019**

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P(MD) .No. 5091 of 2019

1. K. Karthikeyan
2. K.T. Ramesh
3. M. Chinna Ayyanan
4. P. Sethuramalingam Pandian
5. M. Devaraj
6. R. Suresh
7. V. Thangapandian

: Petitioners

Vs.

1. The Chairman (Administration),
TANGEDCO
(formerly Tamil Nadu Electricity Board,
No.800, Anna Salai, Chennai - 600 002.
2. The Chief Engineer (Personnel),
TANGEDCO,
(formerly Tamil Nadu Electricity Board,
No.800, Anna Salai, Chennai - 600 002.
3. The Superintending Engineer,
Theni Electricity Distribution Circle,
Tamil Nadu Electricity Board,
Theni - 625 531.
4. The Assistant Electrical Engineer,
Construction & Improvement,
Tamil Nadu Electricity Board,
Periyakulam, Theni District.

: Respondents

PRAYER: This Writ Petition is filed under Article 226 of the Constitution of India for issuing a Writ of Mandamus, directing the respondents to consider the representations of the petitioner's, dated 06.02.2018, 09.08.2018, 24.07.2018, 24.07.2018, 13.08.2018, 14.08.2018 and 28.08.2018 for absorption as per the common order of this Court, dated 24.04.2018 in W.P.(MD) Nos.16591 of 2010 batch etc., in the light of B.P. No.9, dated 09.01.2008 in accordance with law, within a reasonable time.

For Petitioner

: Mr.K. Appadurai

For Respondents

: M/s.Malini for

T.S. Gopalan & Co.

**ORDER**

The writ petition has been filed to consider the representations of the petitioner, dated 06.02.2018, 09.08.2018, 24.07.2018, 24.07.2018, 13.08.2018, 14.08.2018 and 28.08.2018 for absorbing as per the common order of this Court, dated 24.04.2018 in W.P.(MD) Nos.16591 of 2010 batch etc., in the light of B.P. No.9, dated 09.01.2008.

2. The grievance of the petitioners is that the first petitioner was employed as Helper/Contract Labour under the fourth respondent in Periyakulam Division for Construction & Improvements of Tamil Nadu Electricity Board and the second petitioner was also employed as Helper/Contract Labour under the third respondent. Likewise, petitioners-3 to 7 also similarly placed and employed during various period as Helper/Contract Labour. The further grievance of the petitioners is that there were thousands of other contract labourers engaged for similar works on contract basis and most of them were absorbed as permanent employees and subsequently, for various reasons their absorption are also in dispute. Hence, they made representations on 06.02.2018, 09.08.2018, 24.07.2018, 24.07.2018, 13.08.2018, 14.08.2018 and 28.08.2018 to the respondents-3 & 4, but no order has been passed. Hence, they joined as together filed the instant writ petition for absorbing the petitioners as permanent employees.

3. The learned standing counsel has strongly objected that they jointly filed a single writ petition is not at all maintainable. The aforesaid representations made only by the individual before the concerned authorities and therefore, prima facie, the writ petition is not maintainable.

4. In view of the above, this Court accepts the contentions of the respondent/board. But, however, liberty is granted to the petitioners to make a fresh representation to the respondents/Board by furnishing particulars of the individual petitioners, within two weeks from the date of receipt of copy of this order.

5. With the above directions, the writ petition is disposed of. No Costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)



To

1. The Chairman (Administration),
TANGEDCO
(formerly Tamil Nadu Electricity Board,
No.800, Anna Salai, Chennai - 600 002.
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(formerly Tamil Nadu Electricity Board,
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Tamil Nadu Electricity Board,
Theni - 625 531.
4. The Assistant Electrical Engineer,
Construction & Improvement,
Tamil Nadu Electricity Board,
Periyakulam, Theni District.

+1 CC to Mr.K.APPADURAI, Advocate (SR-80477[F] dated 08/08/2019)
+1 CC to M/s.P.MALINI, Advocate (SR-80744[F] dated 08/08/2019)

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MK (27.08.2019) 3P 7C