



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : **25.02.2019**

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

WP (MD) No.19839 of 2018

and

WMP (MD) No.17618 of 2018

WEB COPY

1.K.Ravichandran

2.R.Selvaraj

3.K.Balasubramani

4.S.Gopalakrishanan

5.P.Ganapathy

... Petitioners

Vs.

1.The Chairman,

Tamil Nadu Generation & Distribution Corporation Limited,
Tamil Nadu Electricity Board,
No.144, Annasalai, NPKRR Maligai,
Chennai - 600 002.

2.The Chief Engineer Personnel,

Tamil Nadu Generation and Distribution Corporation Limited,
Tamil Nadu Electricity Board,
No.144, Anna Salai, Chennai - 600 002.

3.The Superintending Engineer,

Tamil Nadu Generation and Distribution Corporation Limited,
Karur Electricity Distribution Circle,
Karur Post and District.

4.The Assistant Executive Engineer,

Tamil Nadu Generation and Distribution Corporation Limited,
Noyyal Post, Karur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the respondents to consider the petitioners' representation dated 11.02.2017 and 16.02.2017 in conformity with the award made in Claim Petition No.Na.Ka.No.2587/ 2003 dated 10.03.2005, on the file of the Inspector of Labour, Karur and the order dated 07.04.2011 made in W.P.No.47658 / 2006 and absorb the petitioners



as Helpers in Tamil Nadu Generation and Distribution Corporation Limited, Karur Electricity Distribution Circle, Karur and pass appropriate orders within a stipulated time may be fixed by this Court.

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For Petitioners	: Mr.M.Saravanakumar
For Respondent	: Mr.SMS.Johnny Basha
Nos.1 & 2	
For Respondent	:Ms.P.Malini
Nos.3 & 4	

ORDER

This writ petition has been filed, seeking to direct the respondents to consider the petitioners' representations dated 11.02.2017 and 16.02.2017 in view of the order of the Inspector of Labour, Karur and the order dated 07.04.2011 made in W.P.No.47658 of 2006 and absorb the petitioners as Helpers in Tamil Nadu Generation and Distribution Corporation Limited, Karur Electricity Distribution Circle, Karur

2.The learned Counsel for the petitioners submitted that the petitioners sought appointment as permanent staff on the ground of 480 days employment within two years, under the Tamil Nadu Industrial Establishment (Conferment of Permanent Status to Workmen) Act, 1981. Such claim of the petitioners came to be negatived, against which, the petitioners moved the Inspector of Labour, Karur in CP No.2587 of 2003 and the same was disposed of in favour of the petitioners on 10.03.2005. Such an order came to be challenged in WP No.47658 of 2006 and Batch, and this Court, on 07.04.2011 dismissed the same. No writ appeal has been filed against the said order. In view of the same, the petitioners approached the respondents by way of representations, for settlement and their absorption as Helpers in Tamil Nadu Generation and Distribution Corporation Limited, Karur Electricity Distribution Circle, Karur. Such representations are pending consideration. Hence, the petitioners are before this Court.

3.No counter affidavit has been filed. Admittedly, the claim of the petitioners attained finality in view of the order passed in WPN0.47658 of 2006, which has also not been challenged.

4.Under such circumstances, the respondents are directed to consider the petitioners' representations dated 11.02.2017 and 16.02.2017, on merits and in accordance with law and also in the light of the orders passed by the Inspector of Labour, Karur, on 10.03.2005 in CP No.2587 of 2003 and pass necessary orders within a period of four weeks from the date of receipt of a copy of this order.



5. With the above direction, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

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Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Chairman,
Tamil Nadu Generation & Distribution Corporation Limited,
Tamil Nadu Electricity Board,
No.144, Annasalai, NPKRR Maligai,
Chennai - 600 002.
2. The Chief Engineer Personnel,
Tamil Nadu Generation and Distribution Corporation Limited,
Tamil Nadu Electricity Board,
No.144, Anna Salai, Chennai - 600 002.
3. The Superintending Engineer,
Tamil Nadu Generation and Distribution Corporation Limited,
Karur Electricity Distribution Circle,
Karur Post and District.
4. The Assistant Executive Engineer,
Tamil Nadu Generation and Distribution Corporation Limited,
Noyyal Post, Karur District.

+1 CC to M/s.P.MALINI, Advocate (SR-49647[F] dated 26/02/2019)

+1 CC to M/s.M.SARAVANA KUMAR, Advocate (SR-49675[F] dated 26/02/2019)

DSK

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KM/ (22.03.2019) 6P 7C