



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.08.2019

CORAM:

THE HONOURABLE **MR.JUSTICE S.M.SUBRAMANIAM**

W.P. (MD) Nos.9743 and 7029 of 2014

and

M.P. (MD) .Nos.1 and 1 of 2014

W.P. (MD) .No.9743 of 2014

The Management
Tamil Nadu State Transport Corporation
(Madurai) Limited,
Bye-pass Road,
Madurai.

... Petitioner

Vs.

1.The Inspector of Labour,
TNHB Complex,
Ellis Nagar,
Madurai-625 016.

2.A.Arunachalam

... Respondents

PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records of the first respondent in his proceeding in Na.Ka.No.Aa/3517/12 dated 21.08.2013 quash the same.

W.P. (MD) .No.7029 of 2014

A.Arunachalam

... Petitioner

Vs.

1.The General Manager,
Tamil Nadu State Transport Corporation,
No.10, Bye Pass Road,
Madurai.

2.The Branch Manager,
Tamil Nadu State Transport Corporation
Tirupuvanam
Sivagangai District.

... Respondents



PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to give permanent status to the petitioner with effect from 27.04.2011 as per the order of the Inspector of Labour, Madurai dated 21.08.2013 in Na.Ka.No.Aa/3517/12.

For Petitioner in
WP(MD) No.9743/2014 : Mr.A.Jeyaram

For Petitioner in
WP(MD) No.7029/2014 : Mr.S.Saji Bino

For R1 in
WP(MD) No.9743/2014 : Mr.D.Muruganantham
Additional Government Pleader

For R2 in
WP(MD) No.9743/2014 : Mr.S.Sajibino

For R2 in
WP(MD) No.7029/2014 : Mr.A.Jeyaram

COMMON ORDER

The order of the Inspector of Labour to extend the benefit of the provision of the Tamil Nadu Industrial Establishment Conferment of Permanent Status to Workmen Act, 1981 is under challenge in the present writ petition.

2.The workman was engaged as a reserve conductor and he filed a petition before the Inspector of Labour under the provision of the Tamil Nadu Industrial Establishment Conferment of Permanent Status to Workmen Act. The learned counsel appearing on behalf of the Management states that during the pendency of the writ petition, the workman was dismissed from service and consequently, approval petition was filed and the said approval petition was rejected and challenging the said rejection order, the Management, Tamil Nadu State Transport Corporation filed W.P.(MD).No.15028 of 2018, which is pending before this Court.

3.Under these circumstances, the question of granting regularization would not arise. As far as the workman is concerned, in the event of succeeding in respect of the punishment of dismissal from service, all further remedies can be pursued.



4.With these observations, these writ petitions stand disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(AS)

WEB COPY

/TRUE COPY/

Sub Assistant Registrar

To

The Inspector of Labour,
TNHB Complex,
Ellis Nagar,
Madurai-625 016.

+1 CC to M/s.S.SAJI BINO, Advocate (SR-80832[F] dated 09/08/2019)

W.P. (MD) Nos. 9743 and 7029 of 2014
and

M.P. (MD) .Nos.1 and 1 of 2014
07.08.2019

ns

JM/25.09.2019/3P/3C