

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.07.2020

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.8762 of 2020
and WMP.No.10638 of 2020

J.Lavanya

... Petitioner

Vs.

1.The Chairperson and Managing Director,
Tamil Nadu Magnesite Limited,
5/53, Omalur Main Road,
Jakir Ammapalayam Post, Salem - 636 302.

2.The Manager (Personnel and Administration),
Tamil Nadu Magnesite Limited,
5/53, Omalur Main Road,
Jakir Ammapalayam Post,
Salem - 636 302.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to regularize the services of the petitioner in the post of Junior Assistant/ Typist within the time period stipulated by this Hon'ble Court.

For Petitioner : M/s.K.Thilageswaran

For Respondents : Mr.Bala Ramesh, SGP

O R D E R

Mr.Bala Ramesh, learned Special Government Pleader takes notice for the respondents. By consent, the writ petition is taken up for final disposal at the time of admission itself.

2.According to the petitioner, she was selected and appointed as Casual Junior Assistant/ Typist in the first respondent Company through Employment Exchange under the Destitute Widow Category and is working as such in the sanctioned / permanent post for the past five years. Though the petitioner was initially appointed for a term of 200 days, after completion of every 200 days her appointment was

continuously extended. Since her services were not regularized, she sent a detailed representation dated 22.06.2020 to the respondents in this regard and the same is pending without any consideration. Therefore, the petitioner has filed this writ petition for a mandamus directing the respondents to regularize her services in the post of Junior Assistant/ Typist within a time frame to be stipulated by this Court.

3.The learned counsel for the petitioner, placing reliance on Section 3 of the Tamil Nadu Industrial Establishments (Conferment of Permanent Status to Workmen) Act, 1981, submitted that since the petitioner is in continuous service for more than 480 days, she is entitled for conferment of permanent status in the post of Junior Assistant / Typist. Hence, the learned counsel prayed for a direction to the respondents to dispose of the representation made by the petitioner at the earliest.

4.Heard the learned Special Government Pleader appearing for the respondents.

5.Taking note of the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court directs the respondents to pass appropriate orders on the petitioner's representation dated 22.06.2020, on merits and as per law, after providing due opportunity of personal hearing to the petitioner, within a period of four weeks from the date of uploading the copy of this order in the website.

6.The writ petition is accordingly disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

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To

1.The Chairperson and Managing Director,
Tamil Nadu Magnesite Limited,
5/53, Omalur Main Road,
Jakir Ammapalayam Post, Salem - 636 302.

2.The Manager (Personnel and Administration),
Tamil Nadu Magnesite Limited,
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W.P.No.8762 of 2020

MR(CO)
CB(21/09/2020)



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