



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.12.2020

CORAM:

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

W.P. (MD) No.1884 of 2015

Karur Mavatta Ooraga Valarchi Ullatchithurai
Oozhiyargal Sangam,
Regn.No:42/Karur
Rep by its General Secretary,
No.5, Toll Gate
Thirumanilayur Post,
Karur-639 003.

... Petitioner

Vs.

1.The Inspector or Labour,
(Under the Tamilnadu Industrial
Establishment (Conferment of Permanent
Status to Workmen) Act, 1981,
Karur.

2.Uppidamangalam Town Panchayat,
Rep. By its Executive Officer,
Uppidamangalam,
Karut District-639 114.

... Respondents

PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd respondent to implement the order dated 04.09.2014 passed by the 1st respondent and regularize the services of employees namely R.Arumugam, G.Rathinak and R.Ramasamy on completion of 480 days of services with all attendant benefits.

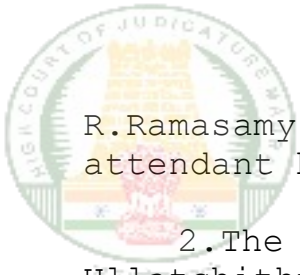
For Petitioner : Mr.R.Subramanian

For Respondents : Mr.D.Muruganandham

Additional Government Pleader

ORDER

The relief sought for in the present writ petition is to direct the second respondent to implement the order, dated 04.09.2014, passed by the first respondent and regularize the services of the employees viz., namely R.Arumugam, G.Rathinak and



R.Ramasamy, on completion of 480 days of services with all attendant benefits.

2.The writ petitioner is Karur Mavatta Ooraga Valarchi Ullatchithurai Oozhiyargal Sangam. The writ petitioner Sangam filed a petition before the first respondent/Inspector of Labour under the provisions of the Tamil Nadu Industrial Establishment (Conferment of Permanent to Workmen) Act, 1981, in order to regularize the services of the certain temporary employees working in the Town Panchayat. The Inspector of Labour also passed an order granting the relief of permanent status. The present writ petition is filed by the petitioner Sangam to implement the said order.

3.This Court is of the considered opinion that regularization and permanent absorption is the service matter relating to the independent employee. Town Panchayat is governed under the Tamil Nadu District Municipality Act and separate Service Rules are also available for recruitment and for regularizing the service conditions of the employees working in the Town panchayat. Both the Statute as well as the Rules provide the procedures for appointing and grant of regularization or permanent absorption. Therefore, the petitioner Sangam filing the present writ petition for the purpose of grant of regularization to three employees cannot be entertained under Article 226 of the Constitution of India. The individual grievances cannot be redressed through the Sangam and such writ petition is not entertainable. This being the principles to be followed and the relief as such sought for deserves no merits for consideration.

4.With the above observation, this Writ Petition stands dismissed. No costs.

Sd/-

Assistant Registrar

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To

1.The Inspector or Labour,
(Under the Tamilnadu Industrial
Establishment (Conferment of Permanent
Status to Workmen) Act, 1981,
Karur.



2.The Executive Officer,
Uppidamangalam Town Panchayat,
Uppidamangalam,
Karut District-639 114.

+1cc to Mr.R.Subramanian, Advocate in SR.No.26396
+1cc to The Special Government Pleader in SR.No.26812

W.P. (MD) No.1884 of 2015

18.12.2020

(1/2)

Ns

AE (07/01/2021) 3P / 5C