



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.01.2020

CORAM:

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

W.P.(MD) No.26926 of 2019

- 1.S.Pannirselvam
- 2.S.Saravanakumar
- 3.M.Murugesan
- 4.A.Kannan
- 5.A.Palanisamy

... Petitioners

/vs./

- 1.The Principal Secretary to Government,
Department of Energy,
Secretariat, Chennai-600 009.
- 2.The Chairman,
Tamil Nadu Electricity Generation and
Distribution Corporation Limited,
Annasalai, Chennai-600 002.
- 3.The Chief Engineer,
Tamil Nadu Electricity Generation and
Distribution Corporation Limited,
Thennur, Tiruchirappalli-620 017.
- 4.The Superintending Engineer,
Tamil Nadu Electricity Generation and
Distribution Corporation Limited,
Mannarpuram, Tiruchirappalli-620 020.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus, to direct the respondents 3 and 4 herein to pay the claim amount to the petitioners towards *ex-gratia* for the services rendered by them as directed by the Labour Court, Tiruchirappalli by its order dated 26.07.2012 and consequently direct the respondents 1 to 3 to absorb the petitioners considering their service with the respondents 3 and 4 in the Tiruchirappalli metro of the Tamilnadu Electricity Board since 1995.

For Petitioners : Mr.D.Boopal
For R-1 : Mr.C.M.Mari Chelliah Prabhu
Additional Government Pleader
For R-2 to R-4 : Mr.T.Shakthi Kumar

ORDER

Though the petitioners have sought for positive directions to the respondents 2 and 3 to pay the claim amount to the petitioners towards *ex-gratia* as per the Labour Court order with consequent directions to them to absorb the petitioners into service, this Court is of the view that if liberty is granted to the petitioners



to file individual application ventilating their grievance with the consequential directions to the respondents to consider the same, the ends of justice could be secured.

2. In the light of the above observations, the petitioners are granted liberty to make individual application ventilating their grievances to the third respondent herein and on receipt of the same, the third respondent herein shall consider the same on its own merits and pass appropriate orders in accordance with law at least within a period of three months from the date receipt of a copy of such application. This Writ Petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

cp

To:-

1. The Principal Secretary to Government,
Department of Energy,
Secretariat, Chennai-600 009.
2. The Chief Engineer,
Tamil Nadu Electricity Generation and
Distribution Corporation Limited,
Thenur, Tiruchirappalli-620 017.
3. The Chief Engineer,
Tamilnadu Electricity Generation and
Distribution Corporation Limited,
Thenur, Tiruchirappalli 620 017.
4. The Superintending Engineer,
Tamilnadu Electricity Generation and
Distribution Corporation Limited,
Thenur, Tiruchirappalli 620 017.

+1 CC to M/s.SPL.GP (SR-4402[F] dated 03/02/2020)

+1 CC to M/s.D.BOPAL, Advocate (SR-4022[F] dated 30/01/2020)

Order made in
W.P. (MD) No. 26926 of 2019
30.01.2020

SMA/13/02/2020/2P/7C