



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.Nos.16692 to 16697 of 2008

and

M.P.Nos.1,1,1,1,1,1 and 1 of 2008

The Management,
Sri Garudadevi Spinning Mills
Private Limited,
Cuddalore Main Road,
valapadi, Salem District,
Now known as K.A.C.Yarn
Private Limited,
Rep. by the Managing Director

... Petitioner in all Wps

-vs-

1.Inspector of Factories,
Authority under Tamil Nadu
Industrial Establishments,
(Conferment of Permanent Status
to Workmen) act, 1981,
Circle - II, Dharmapuri.

... 1st Respondent in All WPs

2.R.Velumani	...2 nd	Respondent in WP.16692/2008
2.A.Sundaram	...2 nd	Respondent in WP.16693/2008
2.C.P.Mannar	...2 nd	Respondent/in WP.16694/2008
2.C.Duraiswamy	...2 nd	Respondent/in WP.16695/2008
2.V.Padmanabhan	...2 nd	Respondent/in WP.16696/2008
2.K.Ammasi	...2 nd	Respondent/in WP.16697/2008

Prayer in WP No.16692 of 2008 : Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorari, to call for the records in File No.Aa/1646/2006-5 on the file of the inspector of Factories Authority under Tamil Nadu Industrial Establishments (Conferment of Permanent Status to Workmen) Act, 1981 Circle - II, Dharmapuri, the first respondent herein, quash the order, dated 22.06.2007 passed therein.

Prayer in WP No.16693 of 2008 :Writ Petition filed under Article



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226 of the Constitution of India, in the nature of Writ of Certiorari, Call for records in Aa/1646/2006-4 on the file of the inspector of Factories Authority under Tamil Nadu Industrial Establishments (Conferment of Permanent Status to Workmen) Act, 1981 Circle - II, Dharmapuri, the first respondent herein, quash the order, dated 22.06.2007 passed therein.

Prayer in WP No.16694 of 2008 :Writ Petition filed under Article 226 of the Constitution of India, in the nature of Writ of Certiorari, Call for records in Aa/1646/2006-2 on the file of the inspector of Factories Authority under Tamil Nadu Industrial Establishments (Conferment of Permanent Status to Workmen) Act, 1981 Circle - II, Dharmapuri, the first respondent herein, quash the order, dated 22.06.2007 passed therein.

Prayer in WP No.16695 of 2008 :Writ Petition filed under Article 226 of the Constitution of India, in the nature of Writ of Certiorari, Call for records in Aa/1646/2006-6 on the file of the inspector of Factories Authority under Tamil Nadu Industrial Establishments (Conferment of Permanent Status to Workmen) Act, 1981 Circle - II, Dharmapuri, the first respondent herein, quash the order, dated 22.06.2007 passed therein.

Prayer in WP No.16696 of 2008 :Writ Petition filed under Article 226 of the Constitution of India, in the nature of Writ of Certiorari, Call for records in Aa/1646/2006-1 on the file of the inspector of Factories Authority under Tamil Nadu Industrial Establishments (Conferment of Permanent Status to Workmen) Act, 1981 Circle - II, Dharmapuri, the first respondent herein, quash the order, dated 22.06.2007 passed therein.

Prayer in WP No.16697 of 2008 :Writ Petition filed under Article 226 of the Constitution of India, in the nature of Writ of Certiorari, Call for records in Aa/1646/2006-3 on the file of the inspector of Factories Authority under Tamil Nadu Industrial Establishments (Conferment of Permanent Status to Workmen) Act, 1981 Circle - II, Dharmapuri, the first respondent herein, quash the order, dated 22.06.2007 passed therein.

For Petitioner
in all W.Ps. : Mr.M.R.Raghavan

For Respondents : Ms.S.Girija, (for R2)
in all W.Ps. Mr.R.Elamparithi,
Government Advocate (for R1)

COMMON ORDER

As the issue involved in the above Writ Petitions is one and the same, the cases are taken up for disposal by this common order.

2. The petitioner has come forward with the present Writ



petition, challenging the order of the Authority under the Tamil Nadu Industrial Establishments (Conferment of Permanent Status to Workmen) Act, 1981. Based on the documents filed by the Workmen which have been marked as Exs.W1 to W10 and the evidence produced by W1 on behalf of the Workmen, the Authorities came to the conclusion that the employees have completed 480 days in the 24 Calendar month. It is to be pointed out that the Management has not let in any evidence and also not marked any Exhibits on their side. The order has been passed as early as 2007 and almost 14 years have gone by, this Court is not inclined to interfere with the order more so, it is the contention of Mr.M.R.Raghavan, learned counsel for the petitioner that the employees have also been dismissed from service.

3. In view of the above, this Court is of the opinion that if the workmen have any grievance with regard to dismissal, suspension or retrenchment as per their nomenclature, it is open to them to workout their remedy and if the same is pending, they can agitate it further.

4. With the above observation, these Writ petitions are disposed of. Consequently, connected miscellaneous petitions are closed. No costs.

Sd/-

Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

vum

To

Inspector of Factories,
Authority under Tamil Nadu
Industrial Establishments,
(Conferment of Permanent Status
to Workmen) act, 1981,
Circle - II, Dharmapuri.

+1cc to the Government Pleader, S.R.No.30814

W.P.Nos.16692 to 16697 of 2008 and
M.P.Nos.1,1,1,1,1 and 1 of 2008

LN(CO)
GN(16/08/2021)