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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.06.2021

CORAM

THE HONOURABLE MR. JUSTICE M.GOVINDARAJ

W.P.No.26332 of 2005
and W.P.M.P.No.28755 of 2005

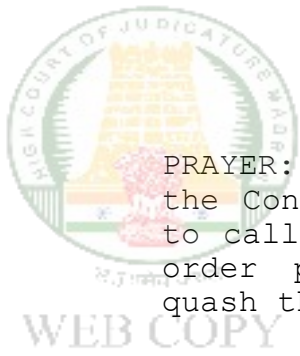
The Superintending Engineer,
Gobi Electricity Distribution Circle,
Gobichettipalayam.

... Petitioner

Vs.

1. The Government of Tamilnadu,
rep. by its Secretary to Govt.,
Energy Department, Chennai - 9.
2. The Govt. of Tamilnadu,
rep. by its Secretary to Labour and
Employment Dept., Chennai - 9.
3. The Inspector of Labour, Erode.
4. S.Ashok Kumar
5. S.Chinnathambi
6. A.Saravanan
7. S.Veeraraj
8. P.Immanuvel
9. K.Murugesan
10. C.Gunasekaran
11. R.Kandasamy
12. R.Sekar
13. V.Senthilkumar

... Respondents



PRAYER: The Writ Petition has been filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari to call for the records of the third respondent relating to its order passed in petition No.1117/2004, dated 29.12.2004 and quash the same as illegal.

For Petitioner : M/s.T.S.Gopalan & Co.,
For Respondent
Nos.1 to 3 : Mr.C.Selvaraj
Government Advocate (Civil)
For Respondent
Nos.4 to 13 : Mr.V.Elangovan

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O R D E R

The present Writ Petition has been filed for the issuance of a Writ of Certiorari to call for the records of the third respondent relating to its order passed in petition No.1117/2004, dated 29.12.2004 and quash the same as illegal.

2. When the matter is taken up for final hearing, the learned counsel appearing for the petitioner would submit that respondent Nos. 1 to 6 have already been considered and given permanent status and only in respect of respondent No.7, the matter may be considered, if he fulfills the conditions and norms laid down by the Division Bench of this Court reported in (2009) 3 LLN 325 [Superintending Engineer, Nagapattinam Electricity Circle, Tamil Nadu Vs. The Inspector of Labour] as well as the Settlement, which are taken place between the Union and the Management under Section 12(3) of the Industrial Disputes Act, 1947.

3. Considering the submission, a direction is given to the petitioner to consider the case of the seventh respondent for regularization, if he fulfills the conditions and norms required under 12(3) Settlement read with judgment of the Hon'ble Division Bench of this Court cited supra. The petitioner is further directed to consider and pass orders within a period of six weeks from the date of receipt of a copy of this order.



With the above observation, the Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

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Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

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To,

1. The Secretary to Government,
Energy Department, Chennai - 9.
2. The Secretary to Labour and
Employment Department, Chennai - 9.
3. The Inspector of Labour,
Erode.

+lcc to Mr.T.S.Gopalan & Co,Advocate SR.No.27929
+lcc to Mr.S.Doraisamy,Advocate SR.No.27810
+lcc to the Government Pleader SR.NO.27944

W.P.No.26332 of 2005
and W.P.M.P.No.28755 of 2005

SS (CO)
A.SK(23.07.2021)