

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.01.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.2833 of 2014

1.M.Vanaraja
2.C.Ramamurthy
3.S.Sivasankar
4.S.Kingslein Jebba
5.Kousikan Rampal
6.M.Muniasamy Petitioners

Vs

1.The Chief Engineer,
TANGEDCO,
8th Floor, TNEB Buildings,
Chennai - 600 002.
2.The Superintending Engineer,
Tamil Nadu Electricity Board,
Tuticorin Circle Electricity Distribution,
Ettayapuram Road,
Tuticorin - 628 002. Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to regularise the services of the petitioners based on the final orders passed by the Deputy Commissioner of Labour under the Conferment of Permanent Status Act in Na.Ka.Aa.397/09 dated 27.12.2013 within the time frame to be stipulated by this Court.

For Petitioners : Mr.T.S.Rajamohan

For Respondents : Mr.Karthick Raja (R1)
Mr.T.S.Gopalan & Co. (R2)

ORDER

According to the petitioners, they have put in continuous and uninterrupted service of more than 480 days thereby qualifying themselves to be conferred permanent status. Hence, they approached the respondents for regularisation of their services. Since the said claim was not considered, they

preferred a petition before the Deputy Commissioner of Labour under the Conferment of Permanent Status Act, who by order dated 27.12.2013, after taking note of all the relevant aspects, directed the second respondent to confer permanent status to the petitioners. Pursuant to the same, the petitioners submitted a joint representation dated 28.12.2013 to the second respondent. Finding no response on the same, the petitioners have come up with this writ petition, seeking a mandamus directing the respondents to regularise their services based on the final order passed by the Labour Court, within a time frame to be stipulated by this Court.

2.The learned counsel for the petitioners submitted that though the Labour Court directed the second respondent to confer permanent status to the petitioners, the respondents did not comply with the said direction till date and the representation submitted by the petitioners in this regard yielded no response. Hence, the respondents may be directed to consider the claim of the petitioners in the light of the order passed by the Labour Court.

3.There is no serious objection on the side of the respondents for granting such relief to the petitioners.

4.Considering 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 consider the representation submitted by the petitioners dated 28.12.2013, if not already considered and pass appropriate orders, on merits and in accordance with law and also in the light of the direction issued by the Labour Court by order in Na.Ka.No.Aa.397/2009 dated 27.12.2013, within a period of eight weeks from the date of receipt of a copy of this order.

5.Accordingly, this writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS III)

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Sub Assistant Registrar

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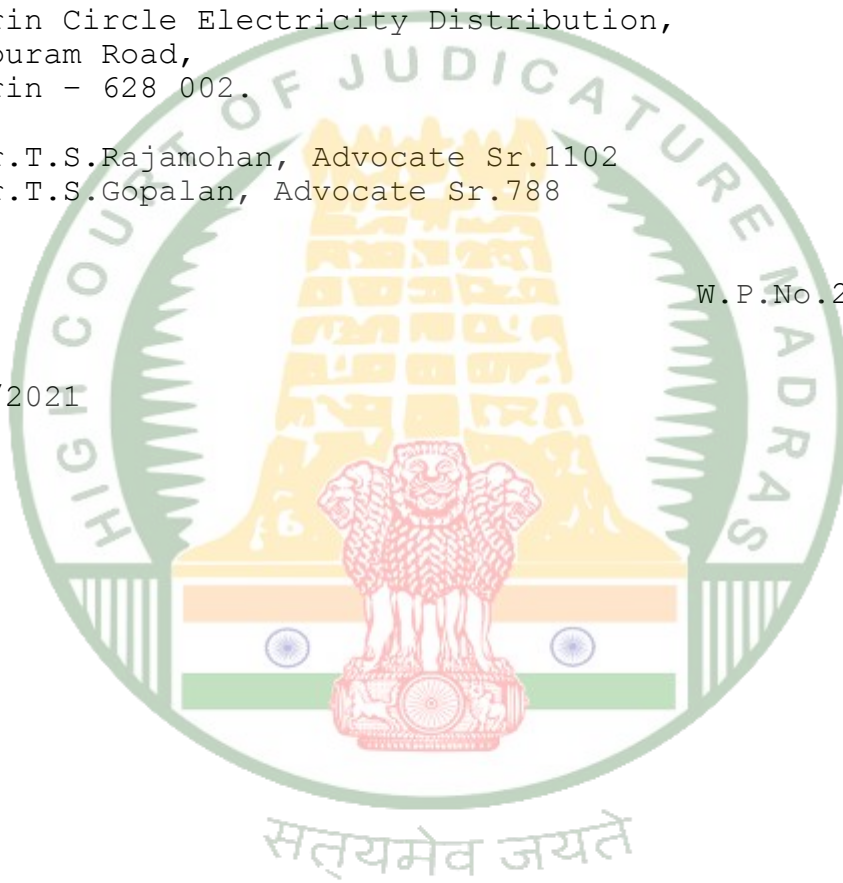
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+1cc to Mr.T.S.Rajamohan, Advocate Sr.1102
+1cc to Mr.T.S.Gopalan, Advocate Sr.788

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rsv[co]
srg 20/04/2021



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