



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.12.2021

CORAM

THE HONOURABLE MRS.JUSTICE **S.SRIMATHY**

W.P. (MD)Nos.5935, 5939, 6144 and 6739 of 2014

and

M.P. (MD)Nos.1,1,1 and 1 of 2014

WEB COPY

W.P. (MD)No.5935 of 2014:

The Executive Engineer,
Tamilnadu Electricity Board,
(Operation and Maintenance),
Kumbakonam Division, Rajan Thottam,
Thiruvidaimaruthur Road,
Kumbakonam - 621 001.

... Petitioner

vs.

1.The Presiding Officer,
Labour Court,
Cuddalore.

2.M.Dharmaseelan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, to call for the records relating to award passed by the first respondent in I.D.No.25 of 2009, dated 02.02.2012 and to quash the same as illegal.

W.P. (MD)No.5939 of 2014:

The Executive Engineer,
Tamilnadu Electricity Board,
(Operation and Maintenance),
Kumbakonam Division, Rajan Thottam,
Thiruvidaimaruthur Road,
Kumbakonam - 621 001.

... Petitioner

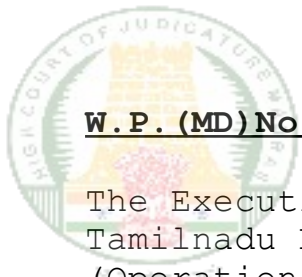
vs.

1.The Presiding Officer,
Labour Court,
Cuddalore.

2.S.Kannan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, to call for the records relating to award passed by the first respondent in I.D.No.23 of 2009, dated 02.02.2012 and to quash the same as illegal.



W.P. (MD)No.6144 of 2014:

The Executive Engineer,
Tamilnadu Electricity Board,
(Operation and Maintenance),
Kumbakonam Division, Rajan Thottam,
Thiruvidaimaruthur Road,
Kumbakonam - 621 001.

... Petitioner

vs.

1.The Presiding Officer,
Labour Court,
Cuddalore.

2.T.Kumar

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, to call for the records relating to award passed by the first respondent in I.D.No.68 of 2009, dated 02.02.2012 and to quash the same as illegal.

W.P. (MD)No.6739 of 2014:

The Executive Engineer,
Tamilnadu Electricity Board,
(Operation and Maintenance),
Thanjavur Division, Vallam Road,
Thanjavur.

... Petitioner

vs.

1.K.Boopathy

2.The Presiding Officer,
Labour Court,
Cuddalore.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, to call for the records relating to award passed by the second respondent in I.D.No.33 of 2009, dated 07.03.2012 and to quash the same as illegal.

In all cases:

For Petitioner : Mr.T.S.Gopalan
For Respondents : Mr.G.Sankaran for R2 in
WP(MD)No.5935, 5939 & 6144/2014
for R1 in WP(MD)No.6739/2014



COMMON ORDER

The respondent in all these Writ Petitions were contract laborers and they were absorbed into service in the year 2016 and the respondents have submitted an undertaking not to demand for backwages and other benefits for the period prior to 2016. The counsel for the respondents in all the writ petitions had submitted that the respondents have agreed they will not demand any backwages and the memo may be recorded. The petitioner has filed the memo, dated 13.12.2021. The relevant portion of the memo is culled out hereunder:

"2. All the respondents were contract labourers working for the petitioner organization. In terms of the scheme of absorption in the petitioner organization all of them were absorbed in the service in the year 2016. These respondents had agreed to their absorption from the year 2016 and have given an undertaking not to press for back wages or any other benefits for the period prior to 2016, namely the period were engaged as Contract Labourers."

2. In an earlier occasion similar Writ Petition was filed in W.P.(MD)No.5917 of 2014 and a memo was filed in that case also. Taking the memo into consideration, this Court has passing the following order:

"2. In view of the memo filed by the petitioner, no further adjudication needs to be undertaken with reference to the grounds raised. Thus the writ petition stands disposed of."

3. Therefore, this Court taking into consideration of the memo dated 13.12.2021, all the Writ Petitions are disposed of as per the terms of memo.

4. Accordingly, all these Writ Petitions are disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)

Tmg



To

The Presiding Officer,
Labour Court,
Cuddalore.

WEB COPY

+4 CC to M/s.T.S.GOPALAN & CO, Advocate (SR-38539, 38540, 38541 & 38542, [F] dated 14/12/2021)

**W.P. (MD) Nos.5935, 5939, 6144
and 6739 of 2014
13.12.2021**

NSN (CO)

SB(12.01.2022) 6P 6C