



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.04.2022

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.Nos.12161 & 12162 of 2013

M.Ramakrishnan ... Petitioner in W.P.No.12161/2013

R.Balakrishnan ... Petitioner in W.P.No.12162/2013

Vs.

1.The Chairman-cum-Managing Director,
Tamil Nadu Generation and Distribution
Corporation Limited,
No.144, Annasalai, Chennai - 600 002.

2.The Chief Engineer Personnel,
Tamil Nadu Generation and Distribution
Corporation Limited,
No.144, Annasalai, Chennai - 600 002.

3.The Superintending Engineer,
Salem Electricity Distribution Circle,
Tamil Nadu Generation and Distribution
Corporation Limited, Salem.

... Respondents in both WPs

Common Prayer : Writ Petitions filed under Article 226 of the Constitution of India, praying to issue Writ of Certiorarified Mandamus, calling for the records of the third respondent in Letter Nos.Meas Po/Say Mi Pa Va/Say/Ni.Pi.2/Vu.4/Ko.O.Tho.Ni.Na/No.26919/2012 and Mea Po/Say Mi Pa Va/Say/Ni.Pi.2/Vu.4/Ko.O.Tho.Ni.Na/No.1229/2012 respectively, both dated 11.12.2012 and quash the same as illegal and consequently direct the respondents to absorb the petitioners in the respondents Corporation.

For Petitioners : Mr.K.Sasindran
(in both Wps)

For Respondents : Mr.Anand Gopalan,
(in both WPs) for M/s.T.S.Gopalan & Co.



COMMON ORDER

The reason assigned in the impugned orders for refusing absorption of the petitioners is that their names do not find place in the Petty Cash Book and that there are no chit agreements in their favour. However, the petitioners herein, have produced certain experience certificates and chit agreements before this Court, evidencing that they were contract employees with the respondents/Corporation.

2. In this background, this Court through the interim orders dated 04.03.2022, granted liberty to the petitioners to give a fresh representation to the third respondent herein, enclosing all the documents through which they claim themselves as contract employees and on receipt of such representations, the third respondent herein shall consider it on its own merits and pass appropriate orders, after giving due opportunity to the petitioners, on or before 22.04.2022.

3. Pursuant to the directions of this Court, the petitioners have also given representations and it is now stated that the third respondent herein, had rejected the same on 19.04.2022.

4. At this juncture, the learned counsel for the petitioners submitted that they intend to file applications before the concerned Inspector of Labour under the provisions of the Tamil Nadu Industrial Establishments (Conferment of Permanent Status to Workmen) Act, 1981, seeking for permanent status.

5. In consideration of the submission of the learned counsel for the petitioners, the petitioners are granted liberty to file an appropriate application before the concerned Inspector of Labour. In view of the dismissal of the petitioners' request for permanent status by the third respondent herein, no effective orders can be passed in the Writ Petition.

6. Accordingly, the Writ Petitions stand closed with the above liberty. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar



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To

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+1cc to Mr.T.S.Gopalan & Co, Advocate SR.No.27923

W.P.Nos.12161 & 12162 of 2013

SR II(CO)
GN(02/06/2022)