

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06-07-2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.NO.155 OF 2015

AND

M.P.NO.1 OF 2015

1. D.Veerakumar
2. V.Sakkarapani
3. P.Devanathan
4. N.Annadurai
5. T.Amsavalli
6. V.Palaniammal
7. K.Parvathi
8. Senthilmurugan
9. P.Selvaraj
10. S.Olivier
11. N.Sekar
12. M.Baskaran
13. P.Narayanasamy
14. R.Perumal
15. R.Sankaran
16. C.Sulochana
17. M.Rajavel
18. L.Selvaraj
19. R.Mariyayee
20. A.Elizabeth
21. C.Chandramouli
22. P.Nallu
23. S.Veeran
24. R.Arumugam
25. M.Mayavan
26. R.Balu
27. V.Velmurugan
28. G.Jayaraman
29. K.Sundararajan
30. D.Govindan
31. L.Madhiyalagan
32. K.Govindaraj
33. V.Selvaraj
34. M.Kolanji
35. P.Subramanian
36. K.Jebarathinam
37. N.Meyyan

38. D.C.Sekar
39. D.Rajendran
40. A.Periyasamy
41. C.Elangovan
42. M.Ramamoorthy
43. T.Kuppusamy
44. S.Krishnamurthy
45. R.Navachakaramurthi
46. R.Rajendran
47. K.Rengasamy
48. K.Sigamani
49. N.Kolanjian
50. T.Kolanji
51. V.Iyyappan
52. J.Chakkarapani
53. K.Govindan
54. K.Paneerselvan
55. N.Kopuliyar Muthukumaran
56. S.Saravanan
57. V.Anbumary
58. K.Sellakannu
59. S.Sumathi
60. D.Palaniammal
61. V.Vasuki
62. K.Alamelu
63. R.Renganayaki
64. S.Selvi
65. V.Saroja
66. K.Nallathambi
67. D.Veerappan
68. S.Lakshmi
69. G.Nehruramugam
70. V.Rayar
71. M.Tamilselvan
72. N.Shanmugam
73. T.Elangovan
74. C.Rajasekar
75. S.Sivaraj
76. S.Kasilingam
77. K.Jothamani
78. Kamarajan
79. R.Sankar
80. S.Santhoshkumar
81. R.Chandrakasi
82. S.Palani
83. K.Kaliyan
84. V.Raja
85. M.Annapoorani
86. P.Mallika
87. K.Ravichandran

88. V.Deivasigamani
89. P.Murugan
90. L.Mallika
91. J.Chakkaravarthy
92. S.Irudayadoss
93. P.Ramalingam
94. M.Selvaraj
95. M.Swaminathan
96. R.Deivanai
97. A.Sivakumar
98. E.Ravi
99. C.Venkatesan
100. A.Chandrababu
101. R.Nagarajan
102. R.Dhanasekaran
103. V.Balamurugan
104. P.Muralidoss
105. P.Sridhar
106. P.Chandra
107. M.Sivakumar
108. M.Maheswaran
109. K.Kuppusamy
110. M.Kumar
111. K.Boopathy
112. C.Marimuthu
113. P.Manikandan
114. P.Krishnan
115. A.Balsamy
116. A.Selvaraj
117. S.David Mary
118. R.Thiruvengadam
119. V.Chinnasamy
120. A.Shanmugavel
121. C.Rathinam
122. D.Rajavelu
123. P.S.Haridhas
124. R.Malliga
125. P.M.Arivalagan
126. K.Elumalai
127. R.Selvaraj
128. P.Raghupathy
129. Rasathi
130. A.Anbarasan
131. A.Velayutham
132. S.Sethurayar
133. C.Veeramuthu
134. R.Rani
135. M.Velayutham
136. E.Alamelu
137. C.Murugan

138. K.Suresh
139. M.Kasi
140. K.Uthirapathi
141. S.Shanmugam
142. N.Pachaimuthu
143. A.Venkatachalapathy
144. R.Venkatesan
145. T.Mani
146. V.Arumugam
147. K.Ramachandran
148. T.Ilayaperumal
149. P.Malarkodi
150. C.Palanivel
151. M.Sakthivel
152. S.Thangavel
153. C.Subramanian
154. P.Sadhasivam
155. R.Sachidhanandham
156. N.Rangasamy
157. P.Paramasivam
158. M.Mallika
159. K.Balamurugan
160. P.Natarajan
161. C.Seenan
162. K.Murugan
163. Parthipan
164. A.Velayutham
165. A.Venkatesan
166. D.Raju
167. P.Muruganandham
168. K.N.Raja
169. L.Selvam
170. R.Nagarajan
171. K.Ravichandran
172. R.Dhanasekaran
173. Krishnakumar
174. P.Mallika
175. K.Ramasamy
176. P.Chandra
177. R.Raghuraman
178. P.Ammasai
179. R.Sankar
180. V.Parameswari
181. A.Ganapathi
182. V.Deivasigamani
183. L.Periyasamy
184. P.Muthusamy
185. A.Kaliyan
186. M.Thangavelu
187. T.Balamurugan

188. C.Ramachandran
189. R.Periyasamy
190. V.Balamurugan
191. M.Nallu
192. K.Veerasingam
193. C.Sekar
194. K.Mani
195. C.Kaliyan
196. A.Samidurai
197. M.Babu
198. D.Karuppiah
199. B.Selvam
200. R.Selvaraj
201. R.Murugan
202. R.Shanmugam

... Petitioners

.Vs.

1. Neyveli Lignite Corporation Ltd.,
Represented by the Chairman,
Neyveli - 2.
2. The Manager, (P & IR),
Neyveli Lignite Corporation Ltd.,
Neyveli - 2.

... Respondents

PRAYER:-

Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to regularise the service of the petitioners or absorb as permanent employees of the first respondent-Corporation with effect from the date of their initial engagement with all monetary and service benefits in the light of the law laid down by the Hon'ble Apex Court in Delhi Jal Board vs. National Campaign for Dignity and Rights of Sewerage and Allied Workers and Others reported in 2011 (8) SCC 568.

For Petitioners : Mr.R.Singaravelan
Senior Counsel
For Mr.M.Rajamani

For Respondents : Mr.F.B.Benjamin George

O R D E R

The relief sought for in the present writ petition is to direct the respondents to regularise the services of the petitioners or absorb as permanent employees of the first respondent-Corporation with effect from the date of their initial appointment with all monetary and service benefits.

2. The learned Senior Counsel appearing on behalf of the petitioners drew the attention of this Court with reference to the averments made in paragraph-22 of the counter-affidavit filed on behalf of respondents 1 and 2, the learned Senior Counsel for the petitioners made a submission that it is suffice if the contentions in paragraph-22 of the counter-affidavit have been given effect to and the same is extracted as under:-

"I state that the petitioners are also governed by the consolidated seniority list prepared by the first respondent which was accepted by the Hon'ble Supreme Court and recorded in its order dated 16.04.2013 in Civil Appeal No.1629 of 2011 in its order the Hon'ble Supreme Court categorically stated that "if workmen has any grievance with the said seniority list, they can submit their grievance/objection to the management of the appellant-Corporation who shall consider the same". Therefore, if there is any dispute with regard to the seniority it is open to the petitioners to submit their grievance to this respondent. The present Writ Petition is not maintainable."

3. In view of the counter-affidavit filed by the respondents 1 and 2 in paragraph-22, extracted supra, no further adjudication needs to be undertaken in respect of the grounds raised in the present writ petition.

4. Accordingly, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

Svn

To

1. The Chairman,
Neyveli Lignite Corporation Ltd.,
Neyveli - 2.
2. The Manager, (P & IR),
Neyveli Lignite Corporation Ltd.,
Neyveli - 2.

+1cc to Mr.F.B.Benjamin George, Advocate, S.R.No.43707

+1cc to Mr.M.Srividhya, Advocate, S.R.No.44109

W.P.NO.155 OF 2015

MG (CO)

PBS/21/07/2022