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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.04.2022

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.9273 of 2022

K.Marudhamalaisamy

... Petitioner

vs.

1. The Chairman-cum-Managing
Director,
Tamil Nadu Generation and
Distribution Corporation Ltd.,
No.144, Annasalai,
Chennai - 600 002.
2. The Chief Engineer/Personnel,
Tamil Nadu Generation and
Distribution Corporation Ltd.,
No.144, Annasalai,
Chennai - 600 002.
3. The Superintending Engineer,
Coimbatore Electricity
Distribution Circle, (South),
Tamil Nadu Generation and
Distribution Corporation Ltd.,
Erode District.
4. The Inspector of Labour,
Erode,
Erode District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the 4th respondent to dispose of the petition filed by the petitioner in Na.Ka.AA/1267/2021 dated Nil within a time frame fixed by this Court by following the directions issued in the order dated 07.03.2022 made in W.P.No.4061 of 2013 etc. batch cases.

For Petitioner : Mr.K.Sasindran

For RR1 to 3 : Mr.Ananda Gopalan for
M/S.T.S.Gopalan & Co.
Standing Counsel

For R4 : Mrs.S.Anitha
Special Government Pleader



O R D E R

This writ petition has been filed for issuance of a Writ of Mandamus, directing the 4th respondent to dispose of the petition filed by the petitioner in Na.Ka.AA/1267/2021 dated nil, within a time frame fixed by this Court by following the directions issued in the order dated 07.03.2022 made in W.P.No.4061 of 2013 etc. batch cases.

2. The case of the petitioner in brief:

The petitioner has been working as Contract Labour in the respondent Board for a long time. Since the contract labours are working for a long period, the board has passed various orders for absorption of contract labours in phased manner. But, the persons who were working along with the petitioner as contract employees were regularized in the Board's service. Therefore, the petitioner made several requests to the respondent Board to absorb him in the Board's service. But, there was no response. Therefore, the petitioner filed a petition before the 4th respondent under the provision of Tamil Nadu Industrial Establishments (Conferment of Permanent Status to Workman) Act, 1981 and the same was numbered as Na.Ka.AA/1267/2021. Subsequently, the 4th respondent issued summons to the 3rd respondent to appear for enquiry on 15.02.2022 and the officials have appeared and orally informed that the 4th respondent has no authority to decide the petition. Hence, the petitioner filed this instant writ petition before this Court.

3. The learned counsel appearing for the petitioner would submit that there was a direction issued by this Court on similar issue in W.P No.4061 of 2013 etc., batch cases dated 07.03.2022 and based on the observation made by the Hon'ble Division Bench of this Court, he prays to direct the 4th respondent to dispose of the petition filed by the petitioner within a specific time.

4. Mr.Ananda Gopalan, learned Standing Counsel takes notice for the respondents 1 to 3 and Mrs.S.Anitha, learned Special Government Pleader takes notice for the 4th respondent.

5. The learned Special Government Pleader appearing for the 4th respondent would submit that the petition filed by the petitioner is pending with the 4th respondent and appropriate orders will be passed on merits and in accordance with law, within a time frame as fixed by this Court.

6. In the light of the aforesaid facts and also considering the limited scope of prayer, without expressing any opinion on merits, this Court is inclined to direct the 4th respondent to dispose of the petition filed by the petitioner



in Na.Ka.AA/1267/2021 dated Nil, on his own merits and in accordance with law, as expeditiously as possible, within a period of four months, from the date of receipt of a copy of this order.

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7. With the above direction, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

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To

1. The Chairman-cum-Managing Director,
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2. The Chief Engineer/Personnel,
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Tamil Nadu Generation and Distribution Corporation Ltd.,
Erode District.
4. The Inspector of Labour,
Erode,
Erode District.

+1cc to Mr.K.Sasindran, Advocate SR. No. 26026

+1cc to Government Pleader SR. No. 26543

W.P.No.9273 of 2022

RSV (CO)

PR (09/05/2022)