



W.P.No.29260 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 07.11.2022

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.29260 of 2022

S. Thilagavathi

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by its Secretary to Government,
Labour Department, St. George Fort,
Chennai – 600 009.

2.The Secretary,
Tamil Nadu Labour Welfare Board,
DMS Compound, Thenampettai,
Chennai – 620 006.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus, to direct the second respondent to consider the petitioner's representation dated 23.06.2022 and consequently direct the second respondent to accord petitioner Grade-I service from the date of completion of 3 years of service on reappointment and continuity of service and consequent service benefits.

For Petitioner : M/s.Om Sai Ram

For Respondents : Mr.G. Nanmaran
Special Government Pleader [R1]
Mr.P. Raghunathan
for M/s.T.S. Gopalan & Co. [R2]



W.P.No.29260 of 2022

WEB COPY

ORDER

This Writ petition has been filed for a mandamus seeking for a direction to the second respondent to consider the petitioner's representation dated 23.06.2022 and consequently, direct the second respondent to accord the petitioner Grade-I service from the date of completion of 3 years of service on reappointment and continuity of service and consequent service benefits.

2. Heard the learned counsel for the petitioner. Mr.G. Nanmaran, learned Special Government Pleader, accepts notice on behalf of 1st respondent and Mr.P. Raghunathan, learned counsel accepts notice on behalf of 2nd respondent. By consent of both the parties, this Writ Petition is taken up for final disposal at the admission stage itself.

3. At the outset, the learned counsel for the petitioner would submit that though a positive direction is sought for by the petitioner in this writ petition, the petitioner will be satisfied if her representation dated 23.06.2022, referred to supra, is considered on merits and in accordance with law.



W.P.No.29260 of 2022

WEB COPY

4. The learned counsel for the respondents would submit that the contention raised by the petitioner has been covered in the judgement of the Hon'ble Division Bench of this Court dated 22.01.2020 passed in W.A.No.621 of 1998, in which, the petitioner was the appellant.

5. However, this Court is not going into the merits of the respective contentions raised by the respective parties in this writ petition, as stated supra.

6. No prejudice will be caused to any of the parties if the petitioner's representation is considered on merits and in accordance with law.

7. For the foregoing reasons, this Court directs the second respondent to pass final orders on merits and in accordance with law, on the petitioner's representation dated 23.06.2022, seeking to accord the petitioner with Grade-I service from the date of completion of 3 years of service on reappointment and continuity of service and other service benefits, within a period of twelve (12) weeks from the date of receipt of a copy of this order.



WEB COPY



W.P.No.29260 of 2022

ABDUL QUDDHOSE,J.

Sni

8. With the aforesaid directions, this Writ Petition is disposed of. No costs.

07.11.2022

Speaking/Non-speaking Order
Index: Yes/No

Sni

To

- 1.The Secretary to Government of Tamil Nadu,
Labour Department, St. George Fort,
Chennai – 600 009.
- 2.The Secretary,
Tamil Nadu Labour Welfare Board,
DMS Compound, Thenampettai,
Chennai – 620 006.

W.P.No.29260 of 2022