



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :07.01.2022

CORAM :

WEB COPY

THE HON`BLE MR.JUSTICE B.PUGALENDHI

W.P(MD) No.7201 of 2020 and
WMP(MD) No.6632 of 2020

1.K.Michael IrudayaAnand
2.M.Mathava Raja
3.K.RengaSuthakar ... Petitioners

Vs.

1.The Management,
The Bharathi Co-operative Spinning Mills Ltd,
Villathikulam Road,
Ettayapuram - 628 902,
Thoothukudi District.

2.The Assistant Commissioner of Labour, Enforcement
Authority under the Industrial Establishment,
(Conferment of Permanent Status to Workmen) Act,
Sorispuram,
Thoothukudi District - 628 101. ... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the first respondent from altering the conditions of the services of the petitioners pending disposal of the petition under Section 3 of the Tamil Nadu Industrial Establishment (Confinement of permanent Status To Workmen) Act 1981, before the second respondent in petition number Na.Ka.No.1122 of 2020.

For Petitioners :Mr.Nandhini Priyadharsini
For R1 :Mr.Hema Karthikeyan
For R2 :Mr.P.T.Thiravium
Government Advocate

O R D E R

This writ petition is filed for a Mandamus, to direct the first respondent not to alter the conditions of the services of the petitioners, pending disposal of the petition in Na.Ka.No.1122 of 2020 filed by them, under Section 3 of the Tamil Nadu Industrial Establishment (Confinement of permanent Status To Workmen) Act 1981.

2.Today(07.01.2022), when the matter is taken up for hearing, the learned counsel appearing for the first respondent

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submits that the second respondent has already passed an order dated 09.08.2021 granting permanency in favour of the petitioner. Therefore, nothing survives in this writ petition.

3. Though the learned counsel appearing for the first respondent claims that the relief has already been granted to these petitioners, the learned counsel appearing for the petitioners disputes the same that that they are not aware of the same.

4. In reply, the learned counsel appearing for the first respondent submits that the aforesaid order 09.08.2021, was challenged by the Management in a separate writ petition in W.P.(MD) No.17000 of 2020 and they have also obtained an order of interim stay on 20.01.2021.

5. The statement of the learned counsel appearing for the first respondent is recorded. The first and second respondents shall ensure that the copy of the order is served upon the petitioners.

6. By recording the said statement made on behalf of the first respondent, this writ petition is closed as no further order is required. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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Note:

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Management,
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+1 CC to M/s.SPL.GP (SR-997[F] dated 10/01/2022)

Order made in
W.P(MD) No.7201 of 2020 and
WMP(MD) No.6632 of 2020
07.01.2022

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(CO)
TR(16.03.2022) 3P 4C