



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.06.2022

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P. (MD) .No.12880 of 2022

A.Pandi

...Petitioner

Vs

1.The Managing Director,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Railway Station Road,
Kumbakonam,
Thanjavur District.

2.The General Manager,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Trichy Region,
Periyamilaguparai,
Trichy - 620 001.

3.The Branch Manager,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Thuvarankuruchi Branch,
Thuvarankuruchi,
Trichy.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to grant permanent status confirmation order and arrears of salary from July 2016 to the petitioner as per 12(3) Settlement of Industrial Dispute Act 1947 on the basis of the petitioner's representation dated 30.05.2022 within a fixed time limit as stipulated by this court.

For Petitioner : Mr.D.Anbarasu

For Respondents : Mr.K.Jagadees Balan,
Standing Counsel.

ORDER

The prayer in the Writ Petition is for issuance of a Mandamus to the respondents to grant permanent status to the petitioner.

<https://hcservices.ecourts.gov.in/hcservices/>



2. Section 3 of the Tamil Nadu Industrial Establishments (Conferment of Permanent Status to Workmen) Act, 1981 provides for filing an application seeking for permanent status to workmen. When there is an alternate remedy available to the petitioner for redressing his grievances, it would not be appropriate for this Court to direct the respondents to grant permanent status. Moreover, the issue as to whether the petitioner has completed 480 days of continuous service in 24 calendar months is based on factual aspects, which requires to be considered by the authority concerned. In this background, the petitioner is granted liberty to file an application before the Authority under the Tamil Nadu Industrial Establishments (Conferment of Permanent Status to Workmen) Act.

3. With this liberty, the Writ Petition stands closed. No costs.

Sd/-

Assistant Registrar(AD-II)

// True Copy //

/07/2022

Sub Assistant Registrar(CS)

Nsr/TM

+1 CC to M/s.K. JAGADEES BALAN, Advocate (SR-27639[F] dated 23/06/2022)

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DKS (CO)

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