



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.02.2022

CORAM

**THE HONOURABLE MRS.JUSTICE S.SRIMATHY**

**W.P. (MD)No.5942 of 2014**

**and**

**M.P. (MD)No.1 of 2014**

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The Executive Engineer,  
Tamilnadu Electricity Board,  
(Operation and Maintenance),  
Kumbakonam Division, Rajan Thottam,  
Thiruvidaimaruthur Road,  
Kumbakonam - 621 001.

... Petitioner

vs.

1.The Presiding Officer,  
Labour Court,  
Cuddalore.

2.D.Sureshraj

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, to call for the records relating to award passed by the first respondent in I.D.No.27 of 2009, dated 02.02.2012 and to quash the same as illegal.

For Petitioner : M/S.P.Malini  
for Mr.T.S.Gopalan

For Respondents : Labour Court for R1  
No appearance for R2

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### **O R D E R**

The respondent in this Writ Petition was Contract Labourer and he was absorbed into service in the year 2016 and the respondents have submitted an undertaking not to demand for backwages and other benefits for the period prior to 2016. The counsel for the respondents in the writ petition had submitted that the respondents have agreed they will not demand any backwages and the memo may be recorded. The petitioner has filed the memo, dated 22.02.2022. The relevant portion of the memo is culled out hereunder:

"2. All the respondents were contract labourers working for the petitioner organization. In terms of



the scheme of absorption in the petitioner organization all of them were absorbed in the service in the year 2016. These respondents had agreed to their absorption from the year 2016 and have given an undertaking not to press for back wages or any other benefits for the period prior to 2016, namely the period were engaged as Contract Labourers."

2. In an earlier occasion similar Writ Petition was filed in W.P.(MD)No.5917 of 2014 and a memo was filed in that case also. Taking the memo into consideration, this Court has passed the following order:

"2. In view of the memo filed by the petitioner, no further adjudication needs to be undertaken with reference to the grounds raised. Thus the writ petition stands disposed of."

3. Therefore, this Court taking into consideration of the memo dated 22.02.2022, the Writ Petition is disposed of as per the terms of memo.

4. Accordingly, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(AD I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

jbr  
To  
The Presiding Officer,  
Labour Court, Cuddalore.

COPY TO:  
The Section Officer,  
VR Section, madurai bench of madras high court,  
madurai. (2 copies)

+1 CC to M/s.P.MALINI, Advocate ( SR-8134[F] dated 23/02/2022 )

Order made in

**W.P. (MD)No.5942 of 2014**

**22.02.2022**

SS(05.03.2022) 2P 5C

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