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W.P.No.5854 of 2003

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 24.01.2023**

**CORAM**

**THE HONOURABLE MRS.JUSTICE J.NISHA BANU**

**W.P.No.5854 of 2003**

**And**

**W.P.M.P.No.7529 of 2003**

The Superintending Engineer,  
Salem Electricity Distribution Circle,  
TNEB, Salem 636 014.

... Petitioner

**Vs.**

1.The Inspector of Labour,  
Salem.

- 2.Ayyammal
- 3.Alamelu
- 4.S.Vellaiyan
- 5.P.Sivalingam
- 6.Parvathi
- 7.Meenatchi
- 8.Sampuranam
- 9.T.Agilandam
- 10.Mariammal
- 11.Kanagambal
- 12.A.Kamatchi
- 13.K.Selvi
- 14.Sarasu
- 15.A.Devagi
- 16.D.Lalitha
- 17.R.Kuppammal
- 18.M.Saroja
- 19.Sendamarai
- 20.Ammaniammal
- 21.P.Kaandammal



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22.Begam  
23.Santhi  
24.A.P.Kalaimani  
25.Chinnakkannu  
26.Kuppayammal  
27.Madhina Begam  
28.Kulap John  
29.Kaliammal  
30.Ramar  
31.N.Thangamani  
32.Madhina Bee  
33.R.Poongodi

... Respondents

**Prayer:**

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the records of the first respondent relating to the order dated 15.02.2002 passed in Pa.Ni.Aa.Aa. No.12/97 which was received by the petitioner on 16.12.2002 and quash the same as illegal and without jurisdiction.

For Petitioner : Mr.Anand Gopalan  
for M/s.T.S.Gopalan and Co.  
For Respondents : Mr.T.Arunkumar for R1  
Additional Government Pleader  
No Appearance for R2 to R33

**O R D E R**

The petitioner has filed this writ petition seeking issuance of Writ of Certiorari calling for the records of the first respondent relating to the order dated 15.02.2002 passed in



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Pa.Ni.Aa.Aa.No.12/97 which was received by the petitioner on 16.12.2002 and to quash the same as illegal and without jurisdiction.

2.The case of the petitioner is that the private respondents are conservancy workers and respondents 2 to 31 approached the first respondent for conferment of permanent status under Section 3(1) of the Tamil Nadu Industrial Establishments (Conferment of Permanent Status to Workman) Act, 1981, contending that they had put in service of 480 days within a continuous period of 24 calendar months, pursuant to which, the first respondent without considering the scope of the provisions of the said Act, passed the impugned order. Hence, this writ petition.

3.The learned counsel appearing for the petitioner submitted that during the pendency of this writ petition, the petitioner Board issued B.P.No.11 dated 02.08.2011 and eligible respondents were absorbed into the services with retrospective effect from 04.04.2003 or 15.10.2005 after creation of appropriate posts and also filed a memo dated 24.01.2023 attaching a copy of B.P.No.11 dated 02.08.2011.



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4. Though notice has been served on many of the private respondents, they had not entered appearance either through counsel or by themselves and notice has not been served on some of the private respondents.

5. The writ petition is of the year 2003. Therefore there will not be any useful purpose in keeping the matter pending. Hence, recording the memo filed on behalf of the petitioner dated 24.01.2023, this writ petition is closed. No costs. Consequently, connected miscellaneous petition is also closed.

**24.01.2023**

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Speaking Order/ Non Speaking Order  
Index: Yes/ No  
Internet: Yes/ No

To

1. The Inspector of Labour,  
Salem.



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**J.NISHA BANU,J.**  
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**And**  
**W.P.M.P.No.7529 of 2003**

**24.01.2023**