



W.P.No.20474 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.08.2023

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.20474 of 2012

- 1.K.Udayakumar
- 2.M.Padmanaban
- 3.V.Jayasekar
- 4.S.Nirmal Raj
- 5.T.Sekar
- 6.J.Balu
- 7.A.Sagayanathan
- 8.T.Bhaskar
- 9.P.Sreedharan
- 10.V.M.Lurthusamy
- 11.S.Asirvatham
- 12.T.Krishnamuthy
- 13.K.S.Rajasekaran
- 14.D.Ramu
- 15.D.Anand
- 16.T.Tamilarasan
- 17.J.Yesupatham
- 18.K.Raghu
- 19.R.Rajakannu
- 20.K.Pandian
- 21.S.Ulaganathan
- 22.S.Mottaisamy
- 23.T.Paul Stephan
- 24.S.Velu
- 25.V.Rajendran
- 26.M.Dhanapal



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- 27.D.Menmaikkarasu
- 28.D.Chitharanjan Doss
- 29.S.Vinayagamoorthy
- 30.S.Purushothaman
- 31.R.Praveen
- 32.S.Senthil
- 33.D.Chellaiya
- 34.K.Pandurangan
- 35.D.Prabhu
- 36.J.Shankar
- 37.R.Balu
- 38.M.Nagaraj
- 39.A.Villankan
- 40.L.Munusamy
- 41.J.Ramesh
- 42.C.Anandan
- 43.C.Chokkuvelu
- 44.M.Raja
- 45.M.Velu
- 46.V.Sekar
- 47.V.Nageshwaran
- 48.P.Diwakar
- 49.V.Selvam
- 50.M.Baskaran
- 51.T.Parthiban
- 52.B.Kumar
- 53.D.Ethiraj
- 54.K.Sivasubramaniyam
- 55.C.Dasarathan
- 56.D.Murugantham
- 57.S.Parameswari
- 58.K.Balakrishnan
- 59.P.Venkatesan
- 60.R.Selvam
- 61.P.Dilli
- 62.D.Kumar



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- 63.T.Ekambaram
64.R.Mahendran
65.R.Dhanapal
66.S.Ramamoorthy
67.R.Nathanraj
68.S.D.Karthickram
69.M.Shanmugavelu
70.D.Anand
71.K.Abdullah
72.J.Senthilkumar
73.J.Jothy
74.K.Venkatesan
75.K.Yuvaraj
76.M.U.Prabhu
77.B.Jothy
78.E.Asokan
79.K.Sivaji
80.R.Natarajan
81.S.G.Mohanavelu
82.S.Ramamoorthy
83.V.Satheeshkumar
84.D.Deivasigamani
85.S.Shankar
86.G.Selvakumar
87.C.Ramesh
88.L.Moorthy
89.Y.Vijayan
90.E.Rajesh
91.R.Mahendran
92.A.George
93.Y.Kumar
94.G.Panner
95.V.Chandran
96.K.Mani
97.R.Raju
98.V.Prakash



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99.V.Prathap
100.J.Murugan
101.K.Gnanasekar
102.N.Venkatesan
103.A.Ravi
104.V.Ravikumar
105.S.Elumalai
106.R.Babu
107.S.Ismail
108.C.Kamaraj

... Petitioners

Vs.

- 1.Tamilnadu Generation and
Distribution Corporation Ltd.,
Rep. by its Secretary,
No.144, Anna Salai,
Chennai 600 002
- 2.The Convener,
Committee Constituted as Per B.P.(Chairman).No.9
Dated 09.01.2008,
Tamilnadu Generation and
Distribution Corporation Ltd.,
No.144, Anna Salai,
Chennai 600 002
- 3.The Chief Engineer
(Personnel),
Tamilnadu Generation and Distribution
Corporation Ltd.,
No.144, Anna Salai,
Chennai 600 002
- 4.The Superintending Engineer,
Chennai Electricity Distribution
Circle/South,
Tamilnadu Generation and
Distribution Corporation Ltd.,
No.110 KV/SS Complex,
K.K.Nagar,



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Chennai 600 078

... Respondents

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PRAYER: Writ Petition is filed under Article 226 of Constitution of India praying to issue a Writ of Mandamus directing the respondents to consider the petitioners' representations dated 09.07.2012 and 16.07.2012 and to take up their names also for verification and identification and to regularize and absorb their services in the post of Helper or in any other post based on their qualification as per B.P.(Chairman) No.9 dated 09.01.2008 from the date on which their colleagues and immediate juniors were absorbed with all consequential benefits.

For Petitioners : Mr.V.Ajoy Khose

For Respondents : Mr.S.Haroon
for M/s.T.S.Gopalan & Co.

ORDER

This writ petition has been filed for direction to the respondents to absorb the services of the petitioners as per B.P.(Chairman) No.9 dated 09.01.2008.

2. Heard, the learned counsel appearing on either side.



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3. In a writ petition in WP.No.20435 of 2012 involving the same issue with regard to B.P.(Chairman) No.9 dated 09.01.2008., this Court dismissed the claim of the petitioner therein and observed as follows:

“4. On perusal of records, in pursuant to the settlement under Section 12(3) of the Industrial Disputes Act, a Committee was constituted to absorb the Contract Labourer who were engaged prior to 06.01.1998 and omitted for sanction of exgratia. However, that Committee did not identify the petitioner and as such the petitioner has disintitled himself from claiming permanency in service. Therefore, the prayer sought for in this writ petition cannot be considered. As such, this writ petition is devoid of merits.”

4. Therefore, this writ petition is also liable to be dismissed. Accordingly, this writ petition is dismissed. There shall be no order as to costs.

31.08.2023

Internet: Yes
Index: Yes/No
Speaking/Non-speaking order
lok



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To

1. Secretary,
Tamilnadu Generation and
Distribution Corporation Ltd.,
No.144, Anna Salai,
Chennai 600 002
2. The Convener,
Committee Constituted as Per B.P.(Chairman).No.9
Dated 09.01.2008,
Tamilnadu Generation and
Distribution Corporation Ltd.,
No.144, Anna Salai,
Chennai 600 002
3. The Chief Engineer
(Personnel),
Tamilnadu Generation and Distribution
Corporation Ltd.,
No.144, Anna Salai,
Chennai 600 002
4. The Superintending Engineer,
Chennai Electricity Distribution
Circle/South,
Tamilnadu Generation and
Distribution Corporation Ltd.,
No.110 KV/SS Complex,
K.K.Nagar,
Chennai 600 078
5. The Government Advocate,
High Court, Madras.



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G.K.ILANTHIRAIYAN, J.

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