



W.P.No.8448 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.10.2023

CORAM

THE HONOURABLE MRS. JUSTICE **R. HEMALATHA**

W.P.No.8448 of 2022

R.R.Kadirvelu

... Petitioner

Vs.

1. The Managing Director,
Tamilnadu State Transport Corporation Limited,
(Covid Region) Ltd.,
37, Mettupalayam Road,
Coimbatore - 641 043.

2. The General Manager,
Tamil Nadu State Transport Corporation
(Erode Region)
47, Sennimalai Road,
Coimbatore - 641 043.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, seeking for issuance of a Writ of Mandamus, directing the Respondents to give permanent status to the petitioner with effect from 06.05.1997 with all consequential benefits within the time limit fixed by this Court.

For Petitioner : Mr.R.Jaikumar

For Respondents : Mr.M.Murali Vinoth,
Standing counsel



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ORDER

The Writ Petitioner was appointed as a Conductor under the 2nd respondent / Tamil Nadu State Transport Corporation on 06.05.1995 and he has been continuously working without any break and in fact he has completed 240 days.

2. According to the petitioner, as per 12(3) settlement of 1992 between the Union and the Management, the workman should be confirmed on completion of 240 days in a year. More over, Section 3 (1) of Conferment of Permanent Status Act, 1981 prescribes that notwithstanding anything contained in any law for the time being in force every workman who is in continuous service for a period of 480 days in a period of twenty four calender months in any Industrial Establishment shall be made permanent. Though the Writ Petitioner submitted his representation on 16.11.2021 to the respondents 1 and 2, they did not consider his request. Hence, the petitioner filed the present Writ Petition.



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3. Heard Mr.R.Jaikumar, learned counsel for the petitioner and Mr.M.Murali Vinoth, learned Standing Counsel for the respondents.

4. The learned counsel for petitioner had contended that he joined his service on 06.05.1995 and he has put in 240 days of continuous service. However, his services were not regularised. Hence, he has also submitted the representation to the respondents on 16.11.2021 to regularise his services, but the respondent did not pass any orders on his representation.

5. In the circumstances, without going into the merits of the case projected by the petitioner either in his affidavit or in his representation, the 2nd respondent / the General Manager, Tamil Nadu State Transport Corporation (Erode Region), Coimbatore, is directed to consider the representation of the petitioner dated 16.11.2021 and pass orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.



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R. HEMALATHA, J.

vum

6. With the above observation, this Writ Petition is disposed of.

No costs.

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Index: Yes/No
Speaking/Non-Speaking order
vum

To

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