



W.P.Nos.12456 & 12457 of 2021

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.11.2023

CORAM

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

W.P.Nos.12456 & 12457 of 2021

S.Selvarayar ... Petitioner in W.P.No.12456 of 2021

K.A.Edward Lunious ... Petitioner in W.P.No.12457 of 2021

Vs.

1.The Tamilnadu Electricity Generation &
Distribution Corporation Ltd.,
Represented by the Chairman,
No.144, Annasalai, Chennai - 2.

2.The Chief Engineer (Personnel)
Tamilnadu Electricity Generation &
Distribution Corporation Ltd.,
No.144, Annasalai, Chennai - 2.

3.The Superintending Engineer,
The Tamilnadu Electricity Generation &
Distribution Corporation Ltd.,
Cuddalore.

4.The Inspector of Labour,
Cuddalore.

... Respondents in both WPs

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Common Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 3 to implement the order of the fourth respondent made in E/6532/06 dated 28.06.2007 & 26.03.2007 under the provisions of the Tamilnadu Industrial Establishments (Conferment of Permanent Status to Workmen) Act 1981 and direct the respondents 1 to 3 to absorb the petitioner in the first respondent Corporation as a permanent employee.

In both WPs:

For Petitioner : Mr.N.Suresh
For RR1 to 3 : Mr.Venkatesh Prasad.A.P.
for M/s.T.S.Gopalan & Co
For R4 : Ms.P.Vijayadevi, GA

COMMON ORDER

These writ petitions are filed seeking a direction to the respondents 1 to 3 to implement the orders dated 28.06.2007 & 26.03.2007 in E/6532/06 of the Labour Inspector passed under the Provisions of Tamil Nadu Industrial Establishments (Conferment of Permanent Status to Workmen) Act, 1981. According to the writ petitioner, the orders passed by the



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Labour Inspector, which was challenged before this Court by the first respondent Corporation, was dismissed by this Court and the Hon'ble Supreme Court also upheld the same.

2. Mr.N.Suresh, learned counsel for the writ petitioners contended that though the SLP.Nos.7222-7312 of 2016 batch filed by the respondent Corporation before the Hon'ble Supreme Court were dismissed on 21.08.2018, the respondent Corporation did not consider the representation of the petitioners till date.

3. Mr.Venkatesh Prasad.A.P, accepted notice on behalf of the respondent Corporation and drew the attention of this Court to the order of the Hon'ble Division Bench of this Court in W.A.Nos.2252, 2254, 2260, 2274, 2253, 2268, 2271, 2257, 2256 & 2276 of 2021 and contended that as per the directions given by the Division Bench of this Court the respondent Corporation may be directed to implement the orders passed by the Labour Inspector.



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4.A perusal of the records shows that though the Supreme Court had dismissed the SLP.Nos.7222-7312 of 2016 batch on 21.08.2018 till date the respondent Corporation has not given effect to the orders passed by the Labour Inspector. In the circumstances, the respondent Corporation is directed to consider and pass appropriate orders in the light of the decisions made in W.P.Nos.29684 to 29692, 29705, 29982 to 29989 of 2010 within a period of three months from the date of receipt of a copy of this order.

5. Accordingly, these Writ Petitions stand disposed of. No costs.

27.11.2023

Index: Yes/No
Internet: Yes/No
Speaking/Non-Speaking order
mtl

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