



W.P.Nos.44, 27149, 29286 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.07.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.Nos.44, 27149, 29286 of 2016

and

W.M.P.Nos.25316, 23318, 8, 27899, 25986, 25987, 27900 and 28148 of 2016 & 14882 of 2017 & 8287 of 2018

M/s.Enbest Pumps India Private Limited,
Rep. by its Director – Sripriya Gowrisankar,
362, /3, Somaiyam Palaiyam,
Thadagam Road,
Coimbatore – 641 108.

... Petitioner in W.P.No.44 of 2016

Gowri Metals Unit – 1,
Rep. by its Partner – Sripriya Gowrisankar,
S.F.No.371/1B, Thadagam Road,
T.V.S.Nagar,
Coimbatore – 641 025.

... Petitioner in W.P.No.27149 of 2016

Rotaro Engineers Private Limited.,
Rep. by its Partner – Sripriya Gowrisankar,
S.F.No.371/1B, Thadagam Road,
T.V.S.Nagar,
Coimbatore – 641 025.

... Petitioner in W.P.No.29286 of 2016

Vs.

1. The Deputy Director,
Industrial Safety and Health,
First Division,
Coimbatore – 641 012.

2. R.Mahendran



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3. K.Saravanan

4. K.Parameshwaran

5. V.S.Selvakumar

6. A.Anantham

7. B.Babu

8. K.Thambankalathil

9. R.Bharathiraja

10. S.Saravanan

11. B.Manikandan

12. B.Rameshkumar

13. S.Mohanraj

14. D.Kalimurugan

15. N.Muruges

16. S.Suresh

17. S.Prakash

18. S.Ismail

19. C.Sathasivam

20. K.Kannan

21. M.Sivakumar



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22. R.Thiruvankada Lakshmi

23. V.Kalaivani

24. N.Latha Devi

...Respondents in W.P.No.44 of 2016

1. The Deputy Director,
Industrial Safety and Health,
Factory Inspector,
First Division,
Coimbatore – 641 012.

2. D.Selvaraj

3. R.Saravanakumar

4. P.Rathinam

5. G.Saravanan

6. J.Nagaraj

...Respondents in W.P.No.27149 of 2016

1. The Deputy Director,
Industrial Safety and Health,
Factory Inspector,
First Division,
Coimbatore – 641 012.

2. S.Suresh Kumar

3. N.K.Moorthy

4. R.Ranjith Kumar

5. C.Vinoth Kumar



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6. V.Rajasekar

7. N.Ganesh

8. A.Palaniappan

9. V.Badrusamy

10. M.Nandha Kumar

11. M.Anandha Babu

12. K.Kuppuraj

13. S.Sekar
2016

...Respondents in W.P.No.29286 of

Common Prayer: Writ Petition is filed under Article 226 of Constitution of India, pleased to issue a Writ of Certiorari calling for the records of the 1st respondent in proceedings Nos.E/183/2015, E/180/2015 and E/182/2015 and quash its orders dated 23.11.2015, 22.06.2016 and 08.07.2016.

In all W.P.s:

For Petitioners : M/s.S.Ravindran Senior counsel
for S.Bazeer Ahamed

For Respondents : Mr.M.S.Prem Kumar, GA [R1]
Mr.Balan Haridas for
M/s.A.Suresh Sakthi Murugan[R2 to
R4]

COMMON ORDER



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Since the issue involved in the above writ petitions are one and the same they are disposed of by way of this common order.

2. Aggrieved over the orders of the first respondent in respective writ petitions dated 23.11.2015, 22.06.2016 and 08.07.2016 conferring permanent status on respondents / workmen, the petitioners / management have filed the above writ petitions seeking to quash the orders passed by the first respondent.

3. The learned Senior counsel appearing for the petitioners / management submitted that that pursuant to the orders passed by the first respondent, the petitioners / management allotted work to the private respondents in respective writ petitions.

4. The learned counsel appearing for the respondents / workmen submit that admittedly the petitioners have granted permanent job to the private respondents based on the orders passed by the first respondent. Except few of the persons all the other workmen joined the duty in the petitioners / companies. He further submitted that those persons who have



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not joined the duty, will join the service in course of time.

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5. Heard learned counsel appearing on either side and perused the materials placed on record.

6. In view of the above stand of the learned counsel appearing for the petitioners / management and the respondents / workmen, this Court is inclined to modify the orders passed by the first respondent by directing the petitioners / management to provide continuous employment to the workmen till they attain superannuation on par with the other workmen. In so far as the legal heirs of the deceased are concerned, they are at liberty to work out their remedy in the manner known to law.

7. These writ petitions are disposed of with the above modification. No costs. Consequently, connected miscellaneous petitions are closed.

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Index :Yes/No

Internet:Yes/No



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To

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The Deputy Director,
Industrial Safety and Health,
First Division,
Coimbatore – 641 012.



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