



W.P.No.17851 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.11.2023

CORAM

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

W.P.Nos.17850 & 17851 of 2018

and

W.M.P.Nos.21147 & 21148 of 2018

R.Jothi	... Petitioner in W.P.No.17850 of 2018
K.Shanmugam	... Petitioner in W.P.No.17851 of 2018

Vs.

1. The Assistant Director of Fisheries
(Island Fishing),
Mettur Dam - 1, Salem District.
2. The Management/Secretary/In-charge Officer,
K.K.98, Mettur Dam Fisherman
Co-operative Sales Society,
Mettur Dam - 1. ... Respondents in both W.Ps.

Common Prayer: Writ Petitions filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the respondents to regularize the petitioners' service in the 2nd respondent office with all benefits as per the order of the Labour Inspector, Salem, dated 18.11.2016 made in Application No.A/3708/2013 and Application No.A/4326/2014.



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For Petitioner : Mr.K.Prabhakaran for
in both W.Ps.

For Respondents : Mrs.P.Vijayadevi,
in both W.Ps. Government Advocate

COMMON ORDER

The Writ petitioners joined service in the 2nd respondent Society in the post of Salesman on daily wages. They raised the Industrial dispute before the Labour Inspector, Salem. The said applications were allowed on 18.11.2016, directing the 2nd respondent Management, Mettur Dam Cooperative Sales Society to confer permanent status upon the petitioners as they had put continuous service of 480 days in 24 calender months.

2. According to the Writ petitioners, though the order came to be passed on 18.11.2016, till date the 2nd respondent Management has not implemented the same so far. The petitioners therefore filed the present Writ petitions, seeking direction to the respondents to regularize the petitioners' service in the 2nd respondent Society with all benefits.



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3. Mr.K.Prabhakaran, learned counsel for the petitioners in both Writ Petitions contended that the petitioners were employed under the 2nd respondent Management as casual labours for a period of more than 480 days in 24 Calender months. However, their services have not been regularised, as a result of which, the petitioners approached the Labour Inspector, Salem who passed an order dated 18.11.2016 conferring permanent status upon the petitioners. However, till date no action was taken by the 2nd respondent Management.

4. Mr.P.Vijayadevi, learned Government Advocate appearing for the respondents in both Writ Petitions contended that since the respondent, Management have not challenged the orders passed by the Labour Inspector, they would be implementing the Award passed by the Labour Inspector as early as possible.

5. In the circumstances, the respondents are directed to implement the order of the Labour Inspector and regularize the services



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of the petitioners as per the orders passed by the Labour Inspector,
Salem, dated 18.11.2016.

6. With the above direction, the writ Petitions are disposed of.

No costs. Consequently, connected miscellaneous petitions are closed.

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

To

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vum

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