



W.P.Nos.20138, 20140, 20142, 20146, 20147, 20148 & 20150 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.08.2023

CORAM

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.Nos.20138, 20140, 20142, 20146, 20147, 20148 & 20150 of 2023

W.P.No.20138 of 2023 :

Krishnaprakash

...Petitioner

Vs.

1. The Chairman-cum-Managing Director,
Tamil Nadu Generation and Distribution Corporation Limited,
No.144, Annasalai, Chennai - 600 002.
2. The Chief Engineer/Personnel,
Tamil Nadu Generation and Distribution Corporation Limited,
No.144, Annasalai, Chennai - 600 002.
3. The Superintending Engineer,
Erode Electricity Distribution Circle,
Tamil Nadu Generation and Distribution Corporation Limited,
Erode District.
4. The Inspector of Labour-cum-
Assistant Labour Commissioner (Enforcement),
Erode.

...Respondents



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Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records of the 4th respondent namely the Inspector of Labour-cum-Assistant Labour Commissioner (Enforcement), Erode relating to his order dated 27.03.2023 in C.P.S.No.1261/2021 and quash the same as illegal and consequently direct the respondents to grant permanent status to the petitioner in board regular service with effect from 01.07.2021.

For Petitioner : Mr.K.Sasindran

For Respondents : Mr.A.P.Venkatesh Prasad
for M/s.T.S.Gopalan & Co., for R1 to R3

COMMON ORDER

Since the issue involved in all these Writ petitions are similar in nature, they are disposed of by way of this common order.

2. These Writ petitions have been filed seeking quashment of the orders of the 4th respondent all dated 27.03.2023 made in C.P.S.Nos.1261 to 1267 of 2021 respectively and for a consequential direction to the respondents to grant permanent status to the petitioners herein in board regular service with effect from 01.07.2021.



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3. The case of the petitioners is that, the petitions herein are working as contract labourers in the respondent TANGEDCO and all were promoted as GIS Surveyors with effect from 01.07.2019 and continued to work as contract labourers till this date. Since the petitioners have completed continuous employment of more than 480 days in a period of 24 calendar months, they are entitled for permanent status and thereby, during December 2021, the petitioners filed their respective petitions before the Inspector of Labour-cum-Assistant Labour Commissioner (Enforcement) / 4th respondent herein, seeking conferment of permanent status in the respondent board. However, the 4th respondent, vide present impugned orders, rejected the petitions filed by the respective petitioners on the ground that, the petitions filed by the petitioners are immature in nature. Challenging the same, the petitioners are before this Court.

4. Heard learned counsel on either side and perused the material documents placed on record.

5. Though very many grounds have been raised by the learned counsel on either side, at the time of arguments, when this Court expressed



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its opinion that without the original authority deciding the permanent status application one way or the other, this Court cannot, under Article 226, decide the said issue, learned counsel for the petitioners restricted the prayer and sought permission of this Court to withdraw the writ petitions with liberty to the petitioners to file fresh applications before the appropriate authority, immediately after completion of 480 days.

6. In view of the above submission made by the learned counsel for the petitioners, this Court, without expressing any opinion on the merits of the case and without interfering with the orders impugned in these Writ petitions, as the same would adversely affect the interest of both the parties, grants liberty to the petitioners to file appropriate applications before the appropriate authority under the Conferment of Permanent Status to Workmen Act, 1981, with regard to their continuous employment of 480 days in two calendar years with the Board and seek for conferment of permanent status.



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WEB COPY 7. Accordingly, these Writ petitions stand disposed of with the above liberty No costs.

17.08.2023

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NCC : Yes/ No
Speaking Order : Yes/ No
Index : Yes/ No

To

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M.DHANDAPANI., J.

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