



W.P.No.32563 of 2023

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.11.2023

CORAM

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

W.P.No.32563 of 2023

R.Sivakumar

... Petitioner

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

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



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implement the order of the 4th respondent made in E/5529/05, dated 20.04.2007 under the provisions of Tamil Nadu Industrial Establishments (Conferment of permanent status to workmen), Act 1981 and thereby direct the respondents 1 to 3 to absorb the petitioner in the 1st respondent corporation as permanent employee.

For Petitioner : Mr.N.Suresh

For Respondents

For R1 to R3 : Mr.G.Anandakrishnan,
for Agam Legal Advocates

For R4 : Mr.M.Shahjahan,
Special Government Pleader

ORDER

The Writ Petition is filed seeking a direction to the respondents 1 to 3 to implement the orders, dated 20.04.2007 in E/5529/05 passed by the Labour Inspector, Cuddalore under the provisions of Tamil Nadu Industrial Establishments (Conferment of Permanent Status to Workmen) Act, 1981. Though the orders passed by the Labour Inspector was challenged before this Court by the first respondent Corporation, it was dismissed and the Hon'ble Supreme Court also confirmed the order of the



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2. Mr.N.Suresh, learned counsel for the writ petitioner contended that though the Special Leave Petition in SLP.Nos.24740-24741 of 2012 filed by the respondent corporation before the Hon'ble Supreme Court were dismissed on 08.04.2013, the respondent corporation did not consider the representation of the present petitioner till date.

3.Mr.G.Ananda Krishnan, 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 direction given by the Division Bench of this Court, the respondent corporation may be directed to implement the order passed by the Labour Inspector.

4.A perusal of the records shows that the Supreme Court though had dismissed SLP.Nos.24740-24741 of 2012 on 08.04.2013



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filed by the respondent, till date the respondent corporation has not given effect to the orders passed by the Inspector of Labour, Cuddalore. In the circumstances, the respondent corporation is directed to consider the representation of the present writ petitioner, dated 15.12.2021 as per the decision rendered by this Court in W.P.Nos.29693, 29706, 29974 to 29981 of 2010, dated 07.02.2011, within a period of three months from the date of receipt of a copy of this order.

5. Accordingly, the Writ Petition stands disposed of. No costs.

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



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R. HEMALATHA, J.

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