



CONT.P(MD)Nos.1252 of 2017 etc., batch

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.07.2023

CORAM:

THE HONOURABLE **DR.JUSTICE ANITA SUMANTH**

AND

THE HONOURABLE **MR.JUSTICE R.VIJAYAKUMAR**

CONT.P.(MD)Nos.1252, 1396 to 1406, 1651 of 2017 &
1294 and 1890 of 2022

V.Gopinath	...Petitioner CONT.P.(MD)No.1252 of 2017:
E.Rengan	... Petitioner(s) in CONT P(MD). 1396/ 2017
T.Subburaju	... Petitioner(s) in CONT P(MD). 1397/ 2017
K.Palanisamy	... Petitioner(s) in CONT P(MD). 1398/ 2017
R.Siva	... Petitioner(s) in CONT P(MD). 1399/ 2017
V.Namperumal	... Petitioner(s) in CONT P(MD). 1400/ 2017
M.Maruthamuthu	... Petitioner(s) in CONT P(MD). 1401/ 2017
P.Ramachandran	... Petitioner(s) in CONT P(MD). 1402/ 2017
L.Murugan	... Petitioner(s) in CONT P(MD). 1403/ 2017
P.Senthil	... Petitioner(s) in CONT P(MD). 1404/ 2017
P.Shanmugam	... Petitioner(s) in CONT P(MD). 1405/ 2017
K.Ramasamy	... Petitioner(s) in CONT P(MD). 1406/ 2017
P.Bharathi,	... Petitioner(s) in CONT P(MD). 1651/ 2017
M. Angamuthu,	... Petitioner(s) in CONT P(MD). 1294/ 2022
K.Senthilkumar,	... Petitioner(s) in CONT P(MD). 1890/ 2022

- Vs. -

1. Mr.M.Saikumar

The Chairman, the Tamil Nadu Electricity Board,

(Now Known as Tamil Nadu Generation and Distribution Corporation Ltd.),

800, Anna Salai, Chennai-2.

2. Mr.A.V.Ravi

<https://www.mhc.tn.gov.in/judis>



CONT.P(MD)Nos.1252 of 2017 etc., batch

The Chief Engineer / Personnel(Maintenance),

TNEB, (Now Know as Tamil Nadu Generation & Distribution Corporation Ltd.),
800, Anna Salai, Chennai-2.

3. Mr.S.Balasubramanian

The Superintending Engineer,

Karur Electircity Distribution Circle,

TNEB,(Now Know as Tamil Nadu Generation & Distribution Corporation
Ltd),Karur District

... Respondent(s) in CONT P(MD). 1252/17,1396 to 1406 & 1651 / 2017

1. Rajesh Lakhoni The Chairman,
The Tamil Nadu Electricity Board,
No.800, Anna Salai,
Chennai - 600 002.

2. A.Subramanian The Chief Engineer (Personnel),
The Tamilnadu Electricity Board,
No.800, Anna Salai,
Chennai - 600 002.

3. Velmurugan The Superintending Engineer,
(Tangedco),
Karur Electricity Distribution Centre,
Karur.

... Respondent(s) in CONT P(MD).1294& 1890/ 2022

(*)PRAYER in Cont.P(MD).No.1252 of 2017:Contempt Petition- filed under Section 11 of the Contempt of Courts Act, to commit and punish the respondents for their willful disobedience of the order passed by this Court in W.A.(MD)No.341 of 2015 dated 24.11.2016.

Prayer in WA(MD). 341/ 2015 :

To prefer this Memorandum of Grounds of Appeal against the order dated 25.08.2014 passed by His Lordship Honourable Mr. Justice K.K.SASIDHARAN in WP (MD) NO. 3937/2013 on the following among other grounds.



Prayer in WP(MD). 3937/ 2013 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorari, calling for the records pertaining to the common order passed by the first respondent in his proceedings in C.P. No. 392/2008, 394/2008, 463/2008, 464/2008, 466/2008, 467/2008, 469/2008, 471/2008, 472/2008 , 473/2008, 474/2008 , 475/2008 , 476/2008, 477/2008, 479/2008, 480/2008, 481/2008, 482/2008, 483/2008, 484/2008, 486/2008, 488/2008, 489/2008, 490/2008, 491/2008, 493/2008, 494/2008, 495/2008, 496/2008, 497/2008, 508/2008, 657/2008 , 780/2008 and 827/2008 dated 15.02.2010 and quash the same and pass such further or other orders.

(*)Common Prayer in Cont p. Nos.1396 to 1406 of 2017:- Contempt Petition- filed under Section 11 of the Contempt of Courts Act, to commit and punish the respondents for their willful disobedience of the order passed by this Court in WP(MD).NO.14674 of 2012 dated 25/08/2014

Prayer in WP(MD). 14674/ 2012 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the respondents to implement the order of the Inspector of Labour, Karur in C.P. No.809, 794,801,802,804,816,799,798,820,823,806,824,787,786,797, and 793 of 2008, with effect to regularize the employment of the petitioners

Prayer in CONT P(MD). 1294/ 2022 :

Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971 to punish the respondents for having violated the order passed in W.P.(MD).No. 14674 of 2012 dated 25-08-2014 confirmed by the order in W.A.(MD).No.340 of 2015 dated 24-11-2016 and pass such further or other order as this Hon'ble Court may deem fit and proper in the circumstance of the case, and thus render justice.

Prayer in WA(MD). 340/ 2015 :

To prefer this Memorandum of Grounds of Appeal against the order dated 25.08.2014 passed by His Lordship Honourable Mr. Justice K.K.SASIDHARAN in WP (MD) NO. 14674/2012 on the following among other grounds.

Prayer in WP(MD). 14674/ 2012 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the respondents to implement the order of the Inspector of Labour, Karur in C.P. No.809, 794, 801, 802, 804, 816, 799,



798, 820, 823, 806, 824, 787, 786, 797 and 793 of 2008, with effect to regularize the employment of the petitioners.

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Prayer in CONT P(MD). 1890/ 2022 :

Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971 to punish the respondents for having violated the order passed in W.P.(MD).No. 39357 of 2013 dated 25-08-2014 confirmed by the order in W.A.(MD).No.341 of 2015 dated 24-11-2016 and pass such further or other order as this Hon`ble Court may deem fit and proper in the circumstance of the case, and thus render justice.

Prayer in WA(MD). 341/ 2015 :

To prefer this Memorandum of Grounds of Appeal against the order dated 25.08.2014 passed by His Lordship Honourable Mr. Justice K.K.SASIDHARAN in WP (MD) NO. 3937/2013 on the following among other grounds.

Prayer in WP(MD). 3937/ 2013 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorari, calling for the records pertaining to the common order passed by the first respondent in his proceedings in C.P. No. 392/2008, 394/2008, 463/2008, 464/2008, 466/2008, 467/2008, 469/2008, 471/2008, 472/2008 , 473/2008, 474/2008 , 475/2008 , 476/2008, 477/2008, 479/2008, 480/2008, 481/2008, 482/2008, 483/2008, 484/2008, 486/2008, 488/2008, 489/2008, 490/2008, 491/2008, 493/2008, 494/2008, 495/2008, 496/2008, 497/2008, 508/2008, 657/2008 , 780/2008 and 827/2008 dated 15.02.2010 and quash the same and pass such further or other orders.

Prayer in CONT P(MD). 1651/ 2017 :

Pleased to initiate contempt proceedings against the Contemnors/Respondents and punish him for the wilful disobedience of the order of the Honourable High Court in W.P(MD) No.14674 of 2012 dated 25.8.2014 and pass such further or other orders as this Honourable Court

Prayer in WP(MD). 14674/ 2012 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the respondents to implement the order of the Inspector of Labour, Karur in C.P. No.809, 794, 801, 802, 804, 816, 799, 798, 820, 823, 806, 824, 787, 786, 797 and 793 of 2008, with effect to regularize the employment of the petitioners.



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For Appellant : Mr.T.Chandrasekarana in 1294 &1890 of 2022
1396 to 1406/2017&1651/2017
: Mr.K.Vijay Sathya
for Mr.A.Rahul in Cont.P(MD).
No.1252
For Respondents : Mr.Anand Gopalan
for M/s.T.S.Gopalan and Co.
in all cases

COMMON ORDER

(Order of the Court was made by DR.ANITA SUMANTH, J.)

The learned counsel for the contempt petitioners in all the contempt petitions states that he has been supplied with the letter Nos. 03654/387/Adm.I/A2/F.C.L.Court case/ 2023-1 to 15, respectively, dated 23.06.2023 issued to all the private respondents in writ appeal, which reads thus:

"1.This order is being passed to grant permanent status to you w.e.f. 15.02.2010 in suppression of the earlier order dated 28.03.22.

2.This order is, however, passed without prejudice to the rights of TANGEDCO which has been protected by the Hon'ble Division Bench in its order dated 27.02.2023 in the Review Application No. 206, 226 and 227 of 2017 which reads as follows:

"..... whether the workman was serving during the relevant point of time is not an issue into which we can go into in this Review Application. However, this issue

has to be agitated before the appropriate forum, which is again a matter which we



CONT.P(MD)Nos.1252 of 2017 etc., batch

do not want to go into in these Review Petitions. All these matters are left open, and the parties will have to agitate regarding the same in a matter known to law."

1. Accordingly, without prejudice to the rights of TANGEDCO, you are hereby granted permanent status w.e.f. 15.02.2010 in order to comply with the directions of the court and only as the of the order of the permanent status authority has become final.

2. Instructions have been received by the learned counsel to the effect that with these communications, direction in the judgment dated 24.11.2016 (paragraph No.7) stands complied.

3. Recording the above, these Contempt Petitions are closed.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/08/2024

Sub Assistant Registrar(CS)

(*)Corrected as per the letter dated 16/08/2024

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(*)To be substituted the order already despatched on 28/08/2023

TO



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1.The Chairman, the Tamil Nadu Electricity Board,
(Now Known as Tamil Nadu Generation and Distribution Corporation Ltd.),
800, Anna Salai, Ch-2.

2.The Chief Engineer / Personnel(Maintenance),
TNEB, (Now Know as Tamil Nadu Generation & Distribution Corporation Ltd.),
800, Anna Salai, Ch-2.

3. The Superintending Engineer,
Karur Electircity Distribution Circle,
TNEB,(Now Know as Tamil Nadu Generation & Distribution Corporation
Ltd),Karur District

4.The Tamil Nadu Electricity Board,
No.800, Anna Salai,
Chennai - 600 002.

5. The Superintending Engineer,
(Tangedco),
Karur Electricity Distribution Centre, Karur.

+1CC to MR.T.Chandrasekaran, Advocate, SR.No. 25970 dated 27/07/2023

CONT.P.(MD)Nos.1252, 1396 to 1406, 1651 of 2017 & 1294
and 1890 of 2022
26.07.2023

KB (22.08.2023) 7P 8C
KB (05.09.2024) 7P 7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.