



WEB COPY



W.P.No.1333 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.03.2024

CORAM:

THE HON'BLE MRS.JUSTICE.N.MALA

W.P.No.1333 of 2024
and
WMP.No.1365 of 2024

Uzhaippor Uriamai Iyakkam
(Regn. No.3077 CNI),
Rep. by its President K. Bharathi,
Thozhar Koodam,
19C, Mariamman Koil Street,
Kalyanapuram,
Ambattur,
Chennai – 600 053.

... Petitioner

Vs.

1.The Additional Chief Secretary,
Labour Welfare and Skill Development Department,
Govt. of Tamil Nadu,
Fort St. George,
Chennai – 600 009.

2.The Principal Secretary and Commissioner
Greater Chennai Corporation,
Rippon Building,
Chennai – 600 003.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records in the impugned



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G.O.(D).No.669 dated 15.12.2023 by the Labour Welfare and Skill Development A-1 Department and quash the same and to direct the 1st respondent to refer the dispute raised by the petitioner union on 20.04.2022 seeking permanency for 1381 NULM temporary sanitary workers to the Industrial Tribunal at Madras.

For Petitioner : Mr.S.Kumaraswamy

For R1 : Mrs.Raja Rajeswari,
Government Advocate

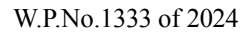
For R2 : Mrs.P.T.Ramadevi,
Standing Counsel

* * * *

ORDER

This Writ Petition is filed to call for the records in the impugned G.O.(D).No.669 dated 15.12.2023 by the Labour Welfare and Skill Development A-1 Department and quash the same and to direct the 1st respondent to refer the dispute raised by the petitioner union on 20.04.2022 seeking permanency for 1381 NULM temporary sanitary workers to the Industrial Tribunal at Madras.

2.The learned counsel for the petitioner submitted that the 1st respondent has passed the impugned G.O.(D).No.669 dated 15.12.2023, Labour Welfare



3.The learned counsel for the petitioner relying on the Judgment of this Court dated 18.06.2021 in W.P.No.2590 of 2021 submitted that when there are two forums open to the employees, the choice was left to the employees to choose any one of the forum. In the above Judgment this Court held as follows:

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



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4.The learned Government Advocate appearing for the first respondent vehemently opposed the contentions of the petitioner.

5.In the light of the above discussions, a direction is issued to the 1st respondent to reconsider the issue in the light of the order dated 18.06.2021 passed by this Court in W.P.No.2590 of 2021, within a period of four weeks from the date of receipt of a copy of this order.

6.With the above direction, this Writ Petition stands disposed of. However, there shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

22.03.2024

Index : Yes / No
Internet : Yes / No
Speaking order/Non-speaking order
ah

To

1.The Additional Chief Secretary,
Labour Welfare and Skill Development Department,
Govt. of Tamil Nadu,
Fort St. George,
Chennai – 600 009.

2.The Principal Secretary and Commissioner



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N.MALA, J.

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