



WEB COPY



W.P.No.32233 of 2003

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.11.2024

CORAM:

THE HON'BLE **MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

W.P.No.32233 of 2003
and WPMP.No.39085 of 2003

1.The Chairman,
Tamil Nadu Electricity Board,
Chennai.

2.The Chief Engineer/Personnel,
Tamil Nadu Electricity Board,
Chennai.

3.The Superintending Engineer,
Trichy Elec. Distn. Circle,
Metro/Trichy-20.

... Petitioners

vs.

1.The Government of Tamil Nadu,
Rep. by its Secretary to Government,
Energy Department, Chennai-9

2.The Government of Tamil Nadu,
Rep. by its Secretary to Labour and
Employment Department, Chennai-9.

3.The Labour Inspector,
Karur.



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- 4.K.Ganesan
- 5.P.Karuppaiah
- 6.V.Palaniyandi
- 7.M.Selvaraj
- 8.V.Mani
- 9.F.Mariya Jeganathan
- 10.S.Mookkan
- 11.S.Namachivayam
- 12.M.Kandan
- 13.K.Ponnaiah
- 14.K.Ramalingam
- 15.V.Muthu
- 16.N.ponnusamy
- 17.N.Thangarasu
- 18.M.Muniyappan
- 19.R.Pappu
- 20.A.Gunasekaran
- 21.A.Ramar
- 22.A.Thanislal
- 23.K.Katturaja
- 24.A.Santhappan
- 25.S.Thangaraj
- 26.S.Durai
- 27.P.Periyasamy
- 28.M.Vellakkannu
- 29.S.Vincent Xavier
- 30.P.Veeramalai
- 31.N.Paramasivam
- 32.P.Thangaraj
- 33.A.Andiyappan
- 34.A.Duraisamy
- 35.P.Palanisamy
- 36.I.Subramani
- 37.M.Annavi
- 38.M.Palaniappan



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- 39.S.Yagappan
- 40.P.Ponnusamy
- 41.P.Pandian
- 42.S.Ravi
- 43.S.Selvaraj
- 44.M.Karuppaiah
- 45.M.Nagarethinam
- 46.A.Palanisamy
- 47.P.Peter
- 48.S.Jesuraj
- 49.N.Adaikkan
- 50.P.Vellaisamy
- 51.C.Alagar
- 52.G.Velanganni
- 53.P.Rajagopal
- 54.G.James Xavier
- 55.S.Jothivel
- 56.V.Ponnusamy
- 57.P.Mamundy
- 58.S.Velu
- 59.G.Annavi
- 60.V.Perumal
- 61.V.Subramanian
- 62.A.James
- 63.S.Zaheer Hussain
- 64.C.Saravanan
- 65.A.Arulanandam
- 66.A.Ramanathan
- 67.R.Perumal
- 68.A.Vellaithurai
- 69.A.Vincent Xavier
- 70.S.Sesuraj
- 71.K.Sangan
- 72.A.Pitchan
- 73.C.Velusamy



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- 74.A.Periasamy
- 75.K.Chinnakkannu
- 76.K.Sankar
- 77.J.Jesuraj
- 78.A.Mariyaraj
- 79.V.Chinnasamy
- 80.S.Sivasubramanian
- 81.P.Dharman
- 82.S.Duraikkannu
- 83.V.Gurusamy
- 84.P.Rengan
- 85.S.Manikandan
- 86.K.Lakshmanan
- 87.V.Vairamani
- 88.C.Arumugam
- 89.P.Selvam
- 90.D.Annadurai
- 91.P.Boopathy
- 92.A.Pandiyarajan
- 93.K.Chinnathambi
- 94.R.Ponnusamy
- 95.A.Hariraman
- 96.M.Perumal Raj
- 97.P.Karuppaiah
- 98.D.Karthikeyan
- 99.A.Kannusamy
- 100.P.Senthil
- 101.R.Palanisamy
- 102.K.Sivakumar
- 103.P.Parthiban
- 104.P.Sakthivel
- 105.C.Govindaraj
- 106.R.Boopathy
- 107.P.Duraisamy
- 108.A.Samikannu



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109.C.Saravanan

... Respondents

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Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records of the third respondent in proceeding Na.Ka.No.295/2001 dated 20.08.2002 and to quash the same.

For Petitioner : Mr.Anand Gopalan
for M/s.Agam Legal

For Respondents : Mr.E.Surendaran
Additional Government Pleader
for R1 and R2

R3 to R109 - No Appearance

ORDER

This writ petition is filed challenging the Award passed by the third respondent, Inspector of Labour dated 20.08.2002 under the Tamil Nadu Conferment of Permanent Status of Workman in Industrial Establishments Act. By the impugned award, totally 106 workmen were directed to be conferred permanent status. Those workmen are arrayed as respondent Nos.4 to 109.



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2. When the matter came up for hearing today, Mr.Anand Gopalan, the learned counsel appearing on behalf of the petitioner would submit that pending the writ petition, 12(3) settlement was entered into and in terms of 12(3) settlement, except one workman involved in the present case namely respondent No.57, Mr.P.Mamundy, everybody else have already been absorbed and they are working in the petitioner management and therefore, nothing further survives in respect of them.

3. In a batch of writ petitions preferred by the petitioner management which was taken along with W.A.No.1302 of 2003, the Hon'ble Division Bench has held that, subsequent 12(3) settlement would govern the field. When the employees have entered into a settlement in terms of the settlement, the management has to absorb them and only one of the workmen not having been found to be eligible and he has also not approached the management nor this Court. Therefore, in respect of him also, in view of the 12(3) settlement, nothing further survives to be adjudicated in the matter.



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4. Accordingly, with the above observations, the Writ Petition is disposed of. Consequently, connected miscellaneous petition is closed. No Costs.

26.11.2024

Neutral Citation: Yes / No
Anu

To:

1.The Government of Tamil Nadu,
Rep. by its Secretary to Government,
Energy Department, Chennai-9

2.The Government of Tamil Nadu,
Rep. by its Secretary to Labour and
Employment Department, Chennai-9.

3.The Labour Inspector,
Karur.

D.Bharatha Chakravarthy, J.
anu



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