



WEB COPY



W.P.No.2204 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2024

CORAM :

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.2204 of 2024

A.Gunasekaran

...Petitioner

-Vs-

1. The Additional Registrar Co-operative Societies,
St., Mary's Road,
Chennai-600 018.

2. The Deputy Registrar Co-operative Societies (Credit),
Kuralagam, Chennai.

3. The Special Officer/Managing Director,
XC-137, Elango Co-operative Credit Societies Ltd.,
Royapuram, Chennai-600 013.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to implement the order pronounced by the Assistant Commissioner of Labour (Enforcement), Nandanam, Chennai, authority under the Tamilnadu Industrial Establishment (Conferment of permanent) Status to the workmen, in Na.Ka.No.E/96/2020 dated 22.07.2023.



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For Petitioner	: Mr.K.Sudalai Kannu
For Respondents 1 &2	: Mr.A.M.Ayyadurai Government Advocate
For Respondent 3	: Mr.J.C.Durai Raj Additional Government Pleader

ORDER

This Writ Petition has been filed for direction to the respondents to implement the orders passed by the Assistant Commissioner of Labour (Enforcement), Nandanam, Chennai.

2. The petitioner was appointed as Jewel Appraiser on 26.03.1990 in the 3rd respondent society. The said post is a sanctioned post within the cadre strength. He is also qualified with master degree in Arts. Thereafter, he completed the Diploma Course in Co-operative in the year 2007. Initially, he was paid consolidated salary and after completion of 480 days in two calender years, he is entitled to be a regular employee under the Tamilnadu Industrial Establishment conferment of Permanent Status to Workmen Act. Further, he is eligible to be regularized to the post of Jewel Appraiser as per G.O.Ms.No.86 dated 12.03.2001. Though, the respondent



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society passed resolution dated 24.11.2006 for regularization of service of the petitioner, till now the petitioner was not regularized. Therefore, the petitioner filed a writ petition before this court in W.P.No.18747 of 2018. This Court passed an order dated 05.08.2008 thereby directed the 3rd respondent to pass orders on the petitioner's representation. However, the request made by the petitioner was rejected by order dated 17.09.2008. The said order was challenged before this Court in W.P.No.4262 of 2018 and the same was disposed of with liberty to file appropriate application before the proper forum. Therefore, the petitioner approached the Assistant Commissioner of Labour (Enforcement), Nandanam, Chennai and thereby passed an order dated 22.07.2023 stating that the petitioner is entitled for conferment of permanent status with effect from 01.01.2008 with all benefits. Based on the said order, the petitioner submitted representation and the same was not implemented so far. Now, the petitioner is aged about 60 years.

3. Considering the above, the 3rd respondent is directed to implement the order passed by the Assistant Commissioner of Labour (Enforcement), Nandanam, Chennai dated 22.07.2023 in



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Na.Ka.No.E/96/2020 forthwith.

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4. With the above direction, this writ petition stands allowed. No costs.

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Index : Yes/No
Internet: Yes/No
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To

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G.K.ILANTHIRAIYAN,J.
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