



W.P.No. 6833 of 2005

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.12.2024

CORAM:

THE HONOURABLE MR. JUSTICE **D.BHARATHA CHAKRAVARTHY**

W.P.No. 6833 of 2005

and

W.M.P.No.7500 of 2005

The Superintending Engineer,
Kanchipuram Electricity Distribution Circle,
Anna Maaligai, Olimohamadpet,
Kanchipuram - 631 502.

... Petitioner

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 Inspector of Police,
Trivellore.
4. N. Saravanakumar
5. A.Yobu Devasampath
6. G. Ramesh
7. M.Mohan
8. K.Kumar



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9. D. Mariappan
10. R. Sureshkumar
11. S. Prakash
12. R.Rammanna
13. C.Raghu
14. M.Chittibabu
15. D.Samson
16. S.Sivaraman
17. D.Janarthanam
18. A.Kumar
19. M.Shanmugam
20. M.Narayanan
21. D.Ambedkar
22. V.Anbumani
23. P.Ravi Chandran
24. S.Sambasivam
25. C.Muthu
26. M.Palani
27. A.Sathiababu
28. N.Ramesh
29. T.Dinakaran
30. K.Rajendran
31. P.Paramasivam
32. D.Chandran
33. D.Victor Joseph
34. B. Anbazagan
35. D.Mohan
36. C.Magesh
37. C.Murthy
38. E.Sagayam
39. M.Anandan
40. D.Kumar
41. P. Adisesan
42. D.Bhaskaran
43. V.Ganesan
44. K.Saravanan



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45. P.Wilson
46. E.Raghu
47. D.Rajendran
48. G.Murugaian
49. V.Sambasivam
50. S.Inbam
51. M.Sasikumar
52. J.Kumaresan
53. R.Murugan
54. D.Sekar
55. A.Venkatesan
56. V.Ramesh
57. S.Sadasivam
58. M.Pushparaj
59. E.Ramadoss
60. K.Narasimman
61. R.Govindaraj
62. M.Ethirajan
63. S.Gopi
64. R.Kumaran
65. V.Pushparaj
66. S.Kumaresan
67. K.Sourimalai
68. P.Vasudevan
69. D.Shankar
70. S.Ramamoorthy
71. T.Loganathan
72. K.Manivannan
73. R.Manigandan
74. A. Velan
75. K.Duraivelu
76. M.Subramani
77. A.Yasodharan
78. C. Rahgupathy.

... Respondents



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Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Certiorari, calling for the records of the third respondent in proceedings Na.Ka.No.E.2028/98/dated 20.10.2000 and to quash the same as illegal and without jurisdiction.

For Petitioner	: Ms.S.B.Keerthan for M/s. Agam Legal
For R1 & R2	: Mr. K.Surendran Additional Government Pleader
For R3	: Labour Court
For R4 to R78	: Not ready in notice

ORDER

This writ petition is filed challenging the Award passed by the third respondent, Inspector of Labour dated 20.10.2000 under the Tamil Nadu Conferment of Permanent Status of Workman in Industrial Establishments Act. By the impugned award, totally 75 workmen were directed to be conferred permanent status. Those workmen are arrayed as respondents No. 4 to 78.

2. When the matter came up for hearing today, Ms.S.B.Keethana, 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



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12(3) settlement except 28 workmen involved in the present case namely respondent Nos.11 to 13, 18 to 20, 27, 28, 31, 33 to 35, 37, 39, 42, 46, 47, 51, 59, 60, 64 to 66, 68 to 70, 76 & 77, 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 up 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 and in terms of the settlement, the management has to absorb them and only 28 of the workmen not having been found to be eligible and they have also not approached the management nor this Court. Therefore, in respect of them also, in view of the 12(3) settlement, nothing further survives to be adjudicated in the matter.

4. Accordingly, with the above observations, the writ petition is disposed of. Consequently, connected miscellaneous petition is closed. No costs.

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Neutral Citation: Yes/No
nsl



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nsI

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Energy Department,
Chennai - 9.
2. The Secretary to Labour and
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The Government of Tamilnadu
Chennai - 9.
3. The Inspector of Police,
Trivellore.

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