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W.P.No.7017 of 2021
and W.M.P.No.16937 of 2021



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.03.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.No.7017 of 2021
and W.M.P.No.16937 of 2021

- 1.M.Durai
- 2.A.Suresh
- 3.S.Mani
- 4.R.Ganesan
- 5.O.Ganesan
- 6.M.Sekhar
- 7.K.Raman
- 8.R.Babu
- 9.M.Devendaran
- 10.K.Muniraj
- 11.A.Vijayan
- 12.M.Arul
- 13.P.Murugesan
- 14.M.Sengutuvan
- 15.C.Thavamani
- 16.M.Murugan

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Petitioners

versus

- 1.The Government of Tamilnadu,
Rep. by its Secretary, Personnel and
Administrative Reforms Department,
Chennai - 9.
- 2.The Secretary,
Animal Husbandry Dairy
and Fisheries (MP II)Department,
Fort, St. George, Chennai - 9.



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3. The Commissioner,
Milk Production and Dairy Development,
Madhavaram, Chennai - 51.

4. The General Manger,
The Krishnagiri District
Coop. Milk Producers Union Ltd,
Kanagamutulu Post, Salem Main Road,
Krishnagiri District,
Tamilnadu - 635 001.

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Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondent 1 to 4 to regularize the service of the petitioners from the date of their respective initial appointment in the 4th respondent establishment with all other attendant service benefits including monetary benefits taking in account of the order dated 15.06.2020 passed by the Authority under Tamil Nadu Industrial Establishments (Conferment of Permanent status to workmen) Act, 1981.

For Petitioners	:	Mr.P.R.Thiruneelakandan
For Respondent Nos.1 to 3	:	Mr.T.Chezhiyan Additional Government Pleader
For Respondent No.4	:	Mr.R.Balaramesh

ORDER

Heard Mr.P.R.Thiruneelakandan, learned counsel for the petitioners, Mr.T.Chezhiyan, learned Additional Government Pleader for the respondents 1 to 3, Mr.R.Balaramesh, learned counsel for the 4th respondent and perused the materials available on record.



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2. The petitioners, who were appointed as casual labours in the 4th respondent Establishment, have been continuously working till date without any break in service. In fact, they have filed appropriate proceedings before the Authority under the Tamil Nadu Industrial Establishments (Conferment of Permanent status to workmen) Act, 1981 and got an order on 15.06.2020. As per the said order, the 4th respondent is directed to regularise the service of the petitioners, but so far the order has not been implemented. Hence, the petitioners had filed this petition, seeking a writ of mandamus to consider their representation on the strength of the above order and to implement the same.

3. Mr.R.Balaramesh, learned counsel for the 4th respondent submitted that as per the Government Letter No.20939/MP.II/2012-6, dated 11.11.2023, the petitioners are not entitled to the permanency as prayed by them. But it is a matter of contention before the appropriate authority, who had the passed the order of permanency on merits.



4. It is not brought to the notice of this Court that whether the 4th respondent has taken any appeal over the order of the appropriate authority dated 15.06.2020.

5. It is seen that the petitioners have not given any representation so far to the respondents and it is up to the petitioners to give a representation to the 4th respondent within a period of two (2) weeks from the date of receipt of a copy of this order. On receipt of the same, the 4th respondent is directed to pass appropriate orders on its own merits and in accordance with law within a period of four (4) weeks thereafter.

With the above observation, this Writ Petition is **disposed**. No costs. Consequently, connected Miscellaneous Petition is closed.

07.03.2024

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

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To

- 1.The Secretary
Government of Tamilnadu,
Personnel and Administrative Reforms Department,
Chennai - 9.
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and Fisheries (MP II)Department,
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R.N.MANJULA, J.

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