



WEB COPY



W.P.No.9159 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :12.03.2024

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.No.9159 of 2021

1.N.Lakshmanan
2.V.Chandran
3.P.Senthil
4.O.Chinnasamy

... Petitioners

Vs.

1.The Chairman-cum-Managing Director,
Tamil Nadu Generation and Distribution
Corporation Ltd.,
No.144, Anna Salai,
Chennai 600 002.

2.The Chief Engineer / Personnel,
Tamil Nadu Generation and
Distribution Corporation Ltd.,
No.144, Anna Salai,
Chennai 600 002.

3.The Superintending Engineer,
Coimbatore Electricity Distribution Circle (South),
Tamil Nadu Generation and
Distribution Corporation Ltd.,
Coimbatore District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to absorb



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the petitioners into respondents' Corporation in the light of Per B.P. (Chairman) No.9 dated 09.01.2008 within a time frame fixed by this Court.

For Petitioners : Mr.P.Suresh Babu

For Respondents : Mr.Anand Gopalan for
M/s.T.S.Gopalan & Co

ORDER

This Writ Petition has been filed for the issuance of a Writ of Mandamus, to direct the respondents to absorb the petitioners into respondents' Corporation in the light of Per B.P. (Chairman) No.9 dated 09.01.2008 within a time frame fixed by this Court.

2. Heard Mr.P.Suresh Babu, learned counsel for the petitioners and Mr.Anand Gopalan, learned Standing Counsel for the respondents.

3. The petitioners claim that they have been working as contractual labourers in the respondent Board for more than 20 years under the control of the third respondent. Despite the petitioners' juniors who were working along with them got regularised, the petitioners were not



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considered for regularisation. Hence, the petitioners filed a petition before the Inspector of Labour, Tiruppur in Na.No.2777 of 2013 and the same is pending. The Board has passed B.P(Chairman) No.9, dated 09.01.2008 for constitution of a committee to examine the cases of contract labourers who are not covered under 12(3) settlement dated 10.08.2007 and other Board proceedings. The second respondent has issued subsequent proceedings in (Per) C.M.D.TANGEDCO Pro.No.79 dated 07.12.2020 to cancel the proceedings made in B.P (Chairman)No.9 dated 09.01.2008. Hence the petitioner has filed this Writ Petition.

4. The learned Standing Counsel for the respondents submitted that the proceedings in (Per) C.M.D.TANGEDCO Pro.No.79 dated 07.12.2020 has only dissolved the committee constituted under B.P (Chairman)No.9 dated 09.01.2008 to study those cases fit for absorption. So far as the petitioners are concerned, their claim relates back to the year 2000, on which date, the proceedings in (Per) C.M.D.TANGEDCO Pro.No.79 dated 07.12.2020 was not in force.



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5. Since the petitioners have already given a representation in this regard on 03.07.2018 on which date, the process of absorption and the existence of the Committee for the said purpose was there, the respondents shall consider the representation of the petitioners and pass orders on its own merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

6. In view of the above stated reasons, this Writ Petition is disposed. No costs.

Index : Yes /No
Speaking / Non-speaking
Neutral Citation : Yes / No
gsk

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R.N.MANJULA, J.

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