



W.P.No.12194 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.09.2024

**CORAM:
THE HONOURABLE MS.JUSTICE R.N.MANJULA**

W.P.No.12194 of 2023

and

WMP.No.12037 of 2023

S.Sudhakar

...

Petitioner

versus

1. The Joint Director,
Industrial Safety and Health (FAC)
Cuddalore, Authority under the Tamil
Nadu Industrial Establishments,
Conferment of Permanent
Status to Workmen Rules 1981.
- 2.The Principal Secretary/The Commissioner of Sugars,
Avin Illam, 2nd Floor,
3A Pasumpon Muthuramalinganar Salai,
Chennai 600 035.
- 3.The Managing Director
Kallakurichi Cooperative
Sugar Mill Unit-1,
Moongilthuraipattu Post,
Sankarapuram Taluk,
Kallakurichi Disitric. ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India,
praying to issue a Writ of Mandamus directing the respondents 2 & 3 to



W.P.No.12194 of 2023

implement the order passed by the 1st respondent in Rc.No.D/2049/2022 dated 06.10.2022 and regularise the service of the petitioner as Junior Engineer (Electrical) in the 2nd respondent mill within time to be stipulated by this Court.

For Petitioner : Mr.R.Chandrasekaran
For Respondents : M/s.M.Jayanthi, AGP for R1
: No appearance for RR2 & 3

ORDER

This Writ Petition has been filed by the petitioner seeking direction against the 2nd and 3rd respondents to implement the order passed by the 1st respondent Rc.No.D/2049/2022 dated 06.10.2022.

2. Heard Mr.R.Chandrasekaran, learned Counsel for the petitioner and M/s.M.Jayanthi, learned Additional Government Pleader for the 1st respondent and perused the materials available on record. There is no appearance on behalf of respondents 2 and 3.

3. The learned counsel for the petitioner submitted that the petitioner has got an award in his favour in an industrial dispute filed by him in I.D.No.143 of 2007 before the Labour Court, Cuddalore on 27.09.2011. The 3rd respondent has filed a writ petition challenging the above and the same was also subsequently dismissed as withdrawn. Hence the award has attained finality.



W.P.No.12194 of 2023

4. Despite the industrial dispute is of the year 2007 and the award has also been passed in the year 2011 and it has attained the finality the respondents 2 and 3 have not complied with the orders so far. Hence I feel it is appropriate that a direction to be given to the respondents 2 and 3 to implement the award passed by the 1st respondent.

5. With the above observation this Writ Petition is disposed of. The respondents 2 and 3 are directed to implement the award passed by the 1st respondent in Rc.No.D/2049/2022 dated 06.10.2022 as expeditiously as possible. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

05.09.2024

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

jrs



W.P.No.12194 of 2023

To

1. The Joint Director,
Industrial Safety and Health (FAC)
Cuddalore, Authority under the Tamil
Nadu Industrial Establishments,
Conferment of Permanent
Status to Workmen Rules 1981.
2. The Principal Secretary/The Commissioner of Sugars,
Avin Illam, 2nd Floor,
3A Pasumpon Muthuramalinganar Salai,
Chennai 600 035.
3. The Managing Director
Kallakurichi Cooperative
Sugar Mill Unit-1,
Moongilthuraipattu Post,
Sankarapuram Taluk,
Kallakurichi Disitriect.



WEB COPY



W.P.No.12194 of 2023

R.N.MANJULA, J.

jrs

W.P.No.12194 of 2023
and
WMP.No.12037 of 2023

05.09.2024