



WEB COPY



W.P.Nos.25720 & 25721 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :06.09.2024

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.Nos.25720 & 25721 of 2024

S.Balasubramaniyan ... Petitioner in W.P.No.25720 of 2024

R.Kannan ... Petitioner in W.P.No.25721 of 2024

Vs.

1.The Tamil Nadu Electricity Generation &
Distribution Corporation Ltd.,
Rep. by the Chairman,
No.144, Anna Salai, Chennai.

2.The Chief Engineer (Personnel),
Tamil Nadu Electricity Generation &
Distribution Corporation Ltd.,
No.144, Anna Salai, Chennai.

3.The Superintending Engineer,
Tamil Nadu Electricity Generation &
Distribution Corporation Ltd.,
Cuddalore.

... Respondents in both W.Ps

Prayer in both W.Ps: Writ Petitions filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to absorb the petitioners as permanent employee in the post



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of Field Assistant / Helper in the 1st respondent Corporation pursuant to the orders / awards of the Inspector of Labour made in E/5176/05 dated 15.06.2007 and E/6152/05 dated 04.07.2006 respectively under the provisions of the Tamil Nadu Industrial Establishments (Conferment of Permanent Status to Workmen) Act, 1981 and also direct the respondents to grant service and monetary benefits to the petitioners from the date of the order of the Inspector of Labour, Cuddalore.

In both W.Ps.

For Petitioners : Mr.N.Suresh
For Respondents : Mr.Anand Gopalan,
Standing Counsel

COMMON ORDER

These Writ Petitions have been filed to direct the respondents to give permanent posting / employment to the petitioners in the cadre of Helper / Field Assistant in the respondent Corporation.

2. The learned counsel for the petitioners in both the Writ Petitions submitted that a similar issue that has been dealt in W.P.Nos.7638 of 2012 batch is applicable to the issue raised in the present Writ Petitions also. The issue raised by the similarly placed persons in W.P.Nos.36045 of 2023 batch has been dealt and an order has been passed after analysing the issues raised and the Writ Petitions were allowed.



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3. However, the learned counsel for the respondent Management submitted that he may be given with an opportunity to file counter with regard to the entitlement of the petitioners.

4. In this regard, it has to be stated that the respondents have already challenged the order passed in Claim Petition Nos.E/6532/06 dated 28.06.2007 etc., by filing a Writ Petition in W.P.No.7638 of 2012 and the same has been dismissed. Hence, the matter cannot be re-agitated once again by allowing the respondents to file counter and that will only be an unnecessary exercise to waste the time of the Court. As these Writ Petitions involve issues similar to the other Writ Petitions in W.P.Nos.36045 of 2023 batch, the order passed in the said Writ Petitions will be applicable to these petitioners as well.

5. Accordingly, these Writ Petitions are allowed and the respondents are directed to consider the claim of the petitioners and give permanent employment in the cadre of helper / Field Assistant within a



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period of two weeks from the date of receipt of a copy of this order. No costs.

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

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To

- 1.The Chairman,
Tamil Nadu Electricity Generation &
Distribution Corporation,
144, Anna Salai, Chennai.
- 2.The Chief Engineer (Personnel),
Tamil Nadu Electricity Generation &
Distribution Corporation,
144, Anna Salai, Chennai.
- 3.The Superintending Engineer,
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R.N.MANJULA, J.

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