



W.P.Nos.31876 & 31884 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.10.2024

CORAM

THE HONOURABLE Ms.JUSTICE R.N.MANJULA

W.P. Nos.31876 & 31884 of 2023
and W.M.P.Nos.31473 & 31474 of 2023

W.P.No.31876/2023

Chengalroyan Co-operative Sugar Mill
Temporary Workers Union
(Regn.No.240/VPM)
Represented by its Secretary,
K.Ayyanar S/o.Kesavan,
Periyasevalai,
Udumalpet Taluk,
Villupuram District – 607 209.

... Petitioner

/vs/

1. Government of Tamil Nadu,
Represented by its Secretary to Government,
Industries (MIC 2) Department,
Formerly merged with Agricultural Department,
Secretariat,
Chennai – 600 009.
2. The Commissioner of Sugar,
“Aavin Illam”
II Floor, 3-A, Pasumpon Muthuramalinganar Salai,
Nandanam,
Chennai – 600 035.



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3. The Administrator / Managing Director,
Chengalrayan Co-operative Sugar Mills Ltd.,
Periyasevalai,
Ulundurpet Taluk,
Villupuram District – 607 209.

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India to issue a writ of mandamus to direct the first respondent to regularize the service of the members of the petitioner union in their respective posts from the date of their initial appointment and absorb them in regular establishment of Chengalroyan Co-operative Sugar Mills Temporarily workers Union, (Regn.No.240/VPM), Periyasevalai, Udumalpet Taluk, Villupuram District – 607 209.

For Petitioner	...	Mr.Balan Haridas for Mr.J.Muthukumaran
For R1 & R2	...	Mrs.M.Jayanthi Additional Govt. Pleader
For R3	...	Mr.Haja Nazirudeen Additional Advocate General – I assisted by Mr.P.Haribabu Government Advocate



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WEB COURT

Kurunkulam Arignar Anna Sarkarai Alai
Dhinakkooly Thozhilalar Sangam,
(Regn.No.624/1996/TAJ)
A.53, South Street,
Mettupatti Kurungulam Melpadhi
Thanjavur District – 613 303
Represented by its Secretary
P.Maran

... Petitioner

/vs/

1. Government of Tamil Nadu,
Represented by its Secretary to Government,
Industries (MIC 2) Department,
Formerly merged with Agricultural Department,
Secretariat,
Chennai – 600 009.
2. The Chairman – Cum – Managing Director,
Tamil Nadu Sugar corporation Ltd.,
Chennai – 600 003.
3. The Commissioner of Sugar,
“Aavin Illam”
II Floor, 3-A, Pasumpon Muthuramalinganar Salai,
Nandanam,
Chennai – 600 035.
4. The Chief Executive Officer,
Arignar Anna Sugar Mills,
Kurungulam,
Thanjavur District – 613 303.

... Respondents



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Writ Petition is filed under Article 226 of the Constitution of India to issue a writ of mandamus to direct the first respondent to regularize the service of the members of the petitioner union in their respective posts from the date of their initial appointment and absorb them in regular establishment of in KURUNKULAM ARIGNAR ANNA SARKARAI ALAI DHINAKKOOLY THOZHILALAR SANGAM, (Regn.No.624/1996/TAJ), A.53, South Street, Mettupatti, Kurungulam Melpadhi, Thanjavur District – 613 303.

For Petitioner	...	Mr.Balan Haridas for Mr.J.Muthukumaran
For R1 to R3	...	Mrs.M.Jayanthi Additional Govt. Pleader
For R4	...	Mr.Haja Nazirudeen Additional Advocate General – I assisted by Mr.S.Prabhakaran Government Advocate

COMMON ORDER

The petitioners have filed these writ petitions seeking a writ of mandamus directing the first respondent to regularize the service of the members of the petitioner Union in their respective posts from the date of their initial appointment and absorb them in regular establishment.



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2. The learned counsel for the third respondent in W.P.No.31876/2023 submitted that the matter has already been settled in the earlier writ petitions wherein it is held that the members of the petitioners' Union are not entitled to regularization.

3. The learned counsel for the petitioners submitted that the earlier orders made in the writ petitions have not been passed on merits and they are only simple disposals.

4. Whatever may be the case the respondents can consider the representation now submitted by the members of the petitioners' Union and pass orders either by granting the relief of regularization or by denying it in the light of the submissions now made before this Court.

5. Since the representation of the members of petitioners' Union has not been considered so far and they are yet to know whether they are eligible for the relief of regularization prayed by them, the respondents has got the duty to pass orders on merits.



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6. In view of the above observations, these writ petitions are disposed and the second respondent in W.P.No.31876/2023 and the third respondent in W.P.No.31884/2023 is directed to consider the petitioners' representation and dispose the same on merits, within a period of four weeks from the date of receipt of a copy of this order. No costs. Connected miscellaneous petitions are closed.

29.10.2024

Index: Yes / No
Speaking order / Non-speaking order
Neutral Citation : Yes / No
bkn

To:

1. Secretary to Government,
Government of Tamil Nadu,
Industries (MIC 2) Department,
Formerly merged with Agricultural Department,
Secretariat,
Chennai – 600 009.
2. The Commissioner of Sugar,
“Aavin Illam”
II Floor, 3-A, Pasumpon Muthuramalinganar Salai,
Nandanam,
Chennai – 600 035.
3. The Administrator / Managing Director,
Chengalrayan Co-operative Sugar Mills Ltd.,



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Periyasevalai,
Ulundurpet Taluk,
Villupuram District – 607 209.

4. The Chairman – Cum – Managing Director,
Tamil Nadu Sugar corporation Ltd.,
Chennai – 600 003.
5. The Chief Executive Officer,
Aringnar Anna Sugar Mills,
Kurungulam,
Thanjavur District – 613 303.



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R.N.MANJULA ,J.

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