



W.A.(MD).Nos.1594 to 1599 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.09.2024

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

W.A.(MD).Nos.1594 to 1599 of 2024

and

**C.M.P.(MD)Nos.12468, 12469, 12470, 12471, 12472 and 12474 of
2024**

W.A.(MD)No.1594 of 2024 :-

The General Manager (Administration),
Tamil Nadu State Transport Corporation,
Kumbakonam Limited,
No.27, Railway Station New Road,
Kumbakonam – 612 001.

... Appellant

-VS-

1.The Inspector cum Assistant Commissioner of
Labour (Enforcement),
Thanjavur.

2.K.Selladurai

3.The General Manager (Administration),
Tamil Nadu State Transport Corporation,
Kumbakonam Limited,
Nagapattinam Region,
140, Public Office Road,
Velipalayam,
Nagapattinam – 611 001.

... Respondents

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent Act, against
the order passed by this Court in W.P.(MD)No.27550 of 2022, dated



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14.02.2023.

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For Appellant : Mr.S.C.Herold Singh
For 1st Respondent : Mr.S.R.A.Ramachandran
Additional Government Pleader
For 2nd Respondent : Mr.Ajoy Khose
For Mr.A.Rahul

COMMON JUDGMENT

[Judgment of the Court was made by R.SUBRAMANIAN, J.]

The Corporation is on appeal, against the common order of the Writ Court made in W.P.(MD)Nos.27550, 27556, 27529, 27555, 27527 and 27552 of 2022, dated 14.02.2023, in and by the said order, the Writ Court had disposed of the Writ Petitions and the prayer in which was to quash the impugned proceedings dated 20.06.2019, namely, the order of the Assistant Labour Commissioner, Thanjavur, which directed conferment of permanent status on the employees of Corporation with effect from a particular date.

2.All the employees were appointed as NMRs during the years 2000 - 2001. Subsequently, their services were regularised on 2006. The employees went before the first respondent, seeking conferment of permanent status with effect from the date of which, they had completed 480 days continuous service within two calendar years. The said request was allowed by the first respondent. This was the subject matter of challenge in the Writ Petitions. The Writ Court had relied upon the earlier



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order of this Court made in W.P.No.15461 of 2017, which arose out of similarly placed employee of the State Transport Corporation, Coimbatore and allowed the Writ Petitions. Aggrieved, the Corporation is on appeal.

3.Mr.Ajoy Khose, learned counsel appearing for the 2nd respondent would submit that the judgment of the learned Single Judge in W.P.No. 15461 of 2017, has been confirmed by the Hon'ble Division Bench in W.A.No.362 of 2023 on 03.08.2023. A copy of the judgment of the Hon'ble Division Bench has also been placed before us.

4.Despite his best efforts, Mr.S.C.Herold Singh, the learned Standing Counsel appearing for the appellant Corporation is unable to pick holes in the judgment of the Hon'ble Division Bench, which is binding on us.

5.Since the employees had also given an undertaking that they will not claim monetary benefits for the period between the date of completion of 480 days till the date of filing of applications, the Corporation will calculate the monetary benefits payable to them and pay the same within a period of 12 weeks from the date of receipt of copy of the order.



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6.The Writ Appeals are disposed of with the above observation. No

Costs. Consequently, connected miscellaneous petitions are closed.

[R.S.M., J.]

[L.V.G., J.]

19.09.2024

NCC :Yes/No

Index :Yes/No

Internet: Yes

Mrn

To

1.The Inspector cum Assistant Commissioner of
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Thanjavur.

2.The General Manager (Administration),
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R.SUBRAMANIAN, J.
and
L.VICTORIA GOWRI, J.

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