



W.P.(MD)No.13797 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.11.2024

CORAM

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P.(MD)No.13797 of 2017 &
W.M.P.(MD)No.10751 of 2017

The Superintending Engineer,
Tamil Nadu Generation and
Distribution Corporation,
Perambalur Distribution Circle,
Perambalur.

...Petitioner

vs.

1.The Presiding Officer,
Labour Court,
Trichy.

2.A.Rathinam

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India
praying to issue a writ of certiorari calling for the records of the first
respondent in C.P.No.10 of 2014 and quash the order dated 28.03.2016.

For Petitioner : Mr.Anand Gopalan

For Respondents : Mr.R.Thangasamy for R2



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ORDER

This writ petition was filed challenging the impugned order passed by the first respondent in C.P.No.10 of 2014 dated 28.03.2016. The entire claim in C.P.No.10 of 2014 was based on the permanency status granted to the workmen by the Inspector of Labour on 05.12.2004.

2. The learned counsel appearing for the petitioner would submit that in the order passed in W.P.No.16666 of 2018 dated 26.02.2019, this Court has observed that in the event of considering the case of the workmen as per the terms and conditions of the Board Proceedings in B.P.No.9 dated 09.01.2008, the orders passed by the Inspector of Labour need not be given effect to. A perusal of the above said order shows that it is a consent order.

3. In view of the orders passed by this Court in W.P.No.16666 of 2018 dated 26.02.2019, the order passed by the Inspector of Labour cannot be given effect to. Then, automatically, the order passed in C.P.No.10 of 2014 dated 28.03.2016 has to be set aside.



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4. Accordingly, the order passed in C.P.No.10 of 2014 dated 28.03.2016 is set aside and the Writ Petition is allowed to the above extent. No costs. Consequently, connected Miscellaneous Petition is closed.

20.11.2024

NCC:Yes/No

Index:Yes/No

Speaking/Non-speaking order

mbi

To

1.The Presiding Officer,
Labour Court,
Trichy.



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KRISHNAN RAMASAMY, J.

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