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W.P.No.29192 of 2010

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Reserved on	25/9/2025
Pronounced on	8/10/2025

THE HONOURABLE Mr.JUSTICE K. SURENDER

Writ Petition No.29192 of 2010

S. Saravanan

...

Petitioner

Vs

1. Bharat Heavy Electricals Limited

Rep. by its Chairman and Managing Director

Shri Fort

New Delhi 110 049.

2. The General Manager

Bharat Heavy Electricals Limited

Boiler Auxilary Plant

Ranipet 632 405

...

Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus to direct the respondents to appoint the petitioner in the permanent service of the respondent Company in the factory at Ranipet as a Fitter.



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For petitioner ...

Mr.V.Prakash
Sr. Counsel
for Mr.K.SudalaiKannu

For respondents ...

No appearance
For R.1
Mr.F.B.Benjamin George
For R.2

ORDER

This writ petition has been filed to direct the respondents to appoint the petitioner in the permanent service of the respondent Company in the factory at Ranipet as a Fitter.

2. On an earlier occasion, in similar matters, the issue raised in this writ petition were taken up for consideration. The respondents herein had approached this Court by way of an appeal before the Division Bench of this Court. Vide, order dated 10/2/2015, the Hon'ble Division Bench of this Court, in ***THE MANAGEMENT OF BHARATH HEAVY ELECTRICALS LIMITED AND ORS Vs. R. GOVINDAN AND ORS***



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WEB COPY (W.A.Nos.1047 to 1062 of 2008) had allowed the appeals, holding that the private respondents, as a matter of right cannot claim the relief sought for, in view of Section 22 (1) of the Apprentices Act, 1961.

3. When the matters were challenged before the Hon'ble Supreme Court by way of a Special Leave Petitions in S.L.P.Nos.27996 – 28002 of 2017 and the same came to be dismissed on 13/8/2024.

4. A bare perusal of Section 22 (1) of the Apprentices Act, this Court is of the considered view that Section 22 (1) of the Apprentices Act would govern the case and therefore, private respondents as a matter of right cannot claim the relief sought for. Section 22 (1) of the Act was amended in the year 2014. It is apparent that the ground raised by the learned Senior Counsel regarding the amended provision of Section 22 (1) was raised in the Writ Appeal Court also and declined by the Hon'ble Division Bench.



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5. Since the instant writ petition is squarely covered by the decision

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of the Hon'ble Division Bench of this Court and later confirmed by the

Hon'ble Supreme Court, the instant writ petition is dismissed. No costs.

(K.SURENDER,J)

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mvs.

Index: Yes/No

Neutral Citation: Yes/No



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Pre-delivery order made in
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