



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.02.2025

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THE HON'BLE MR. JUSTICE M.DHANDAPANI

W.P. No.30295 of 2011

The Superintending Engineer,
Tiruppattur Electricity Distribution Circle,
Tamil Nadu Electricity Board,
Tirupathur.

... Petitioner

-VS-

1. The Presiding Officer,
Additional Labour Court,
Vellore.

2. N.Saravanan

... Respondents

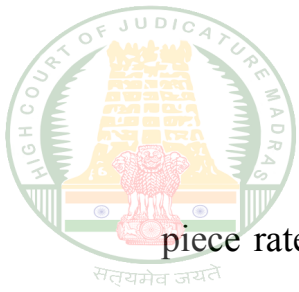
Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certiorari calling for the records in common award passed by the first respondent herein in C.P.No.705/2003 dated 11.02.2010 on the file of the first respondent and quash the same.

For Petitioner	: Ms.Harron Al Ra Shud
For Respondents	: Notice served - No appearance - R2 R1 - Court

ORDER

The writ petition has been filed seeking to quash the award passed by the first respondent herein in C.P.No.705/2003 dated 11.02.2010 on the file of the first respondent directing the petitioner herein to pay a sum of Rs.3,13,474/-

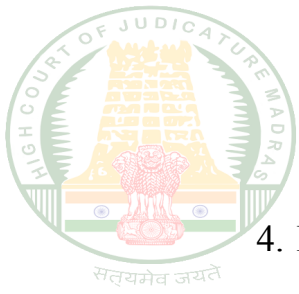
2. It is the case of the second respondent that he was worked as daily



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piece rate workman with the petitioner and he was not a regular employee. In the year 2000, the second respondent filed a petition for conferment of permanent status and the same was allowed in his favour. Against which, the petitioner Board has filed a writ petition before this court in W.P.No.17628/2004. During pendency of the said writ petition, the second respondent was filed a computation petition before the first respondent praying for the wages from 24.03.2003 without prejudice to his regular absorption from the date of the order passed by the competent authority/the Inspector of Labour, Thiruvannamalai and the same was ordered in his favour. Challenging the same, the present writ petition has been filed.

3. The learned counsel for the petitioner submitted that questioning the conferment of permanent status in favour of the second respondent and other workmen, the petitioner has filed a batch of writ petitiond before this Court in W.P.No.17628 of 2004 etc., batch and the same were disposed by this Court vide its order dated 24.10.2008 who ever obtained conferment of permanent status prior to 2008 and the said issues have been settled in terms of Section 18(1) of ID Act and benefits also settled in their favour as directed by the Hon'ble Division Bench of this Court. Hence, the learned counsel seeks to quash the impugned order and allow the writ petition.



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4. Heard the learned counsel for the petitioner and perused the materials available on records. Though notice has been served on the second respondent, no one appeared in his favour.

5. The facts of the case are not in dispute. Admittedly, the second respondent workmen was employed with the petitioner Board as contract labourer. As per the Tamil Nadu Industrial Establishment and Conferment of permanent Status Act, the workmen filed the petition before the appropriate authority and the same was allowed in his favour. Challenging the same, the petitioner Board filed a batch of writ petitions before this Court. During pendency of the said petition, the second respondent has filed the computation petition and the same was allowed in favour of the workmen. Subsequently, the writ petition was allowed. Hence, the computation petition filed by the workmen is become infructuous. Accordingly, the impugned order passed by the first respondent is set aside.

6. With the above observation, the writ petition is allowed. Consequently, connected miscellaneous petition is closed. No costs.

10.02.2025

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M.DHANDAPANI, J.



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Index: Yes/No
NCS : Yes/No

To

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