



WEB COPY

WP No. 30471 of 2011



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-02-2025

CORAM

THE HONOURABLE MR JUSTICE M.DHANDAPANI

WP No. 30471, 30472 OF 2011 and 30473 OF 2011

R.Reeta Agnes

Roslin Sheeba Rani

Saral Shakila Rani

W.P.No.30473 of 2011

... Petitioner in W.P.no.30471 of 2011

.... Petitioner in W.P.No.30472 of 2011

... Petitioner in

Vs

1. The Presiding Officer

I Addl.Labour Court, High Court

Buildings, Chennai-600 104.

2.The Special Officer

Entrepreneurship Development Institute

(Government Of Tamilnadu)

T.I.Building-I II Floor,

Opp.Guindy Railway Station, Guindy,

Chennai-600 032.

3.The Chairman

Small Industries Department,

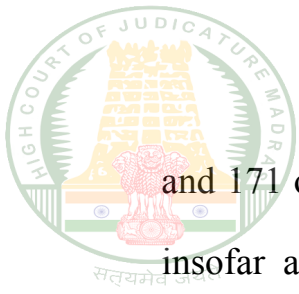
(government Of Tamilnadu),

Chennai-600 009.

.....Respondents in all the writ petitions

This Writ petitions have been filed under Article 226 of Constitution of India,

Calling for the records from the files of the 1st Respondent in I.D.No.169, 170



and 171 of 2008 and quash its impugned Award made therein dated 22.02.2011 insofar as the 1st Respondent has negated the claim of the Petitioner for reinstatement in service, with continuity of service, with back wages and with all other attendant and consequential benefits.

For Petitioner(s): M/s.K.Bharathi
For Respondent(s): R1-labour Court
M/s.M. Murali
Government Advocate
RR2 and 3

COMMON ORDER

The Issues involved in all the cases are one and the same, they are disposed by way of this common order.

2. Challenging the order passed by 1st Respondent in I.D.No.169, 170 and 171 of 2008 dated 22.02.2011 for reinstatement in service, with continuity of service, with back wages and with all other attendant, these writ petitions have been filed.

3. It is the case of the petitioner that the petitioners in all the petitions was appointed as programme coordinator in the year 2004 on a consolidated salary. However, the said order of appointment stated that their appointment is purely temporary in nature and liable to be terminated without any reason. Subsequently, their services were terminated. Thereby, the petitioners were raised industrial

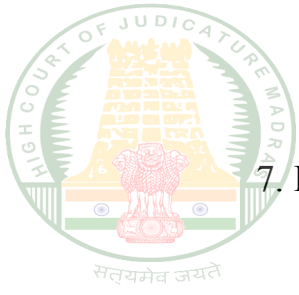


dispute and the same was taken on file in ID. No.169, 170 and 171 of 2008 on the file of the first respondent and the same was dismissed. Challenging the same, the writ petitions have been filed.

4. The learned counsel for the petitioners submitted that the respective petitioners were appointed as programme coordinator and they were working more than 240 days. Without following the procedure under ID Act, the management has reinstated the petitioners, which is unsustainable. Further the Labour Court has failed to consider that the decisions relied on by the second respondent have no application to the facts of this case as they relate to regularization of service and nothing to do with termination of service in contravention of Section 25F of the ID Act.

5. Heard the learned counsel for the petitioners and the learned counsel appearing respondents 2 & 3 and perused the materials available on record.

6. The facts of the case are not in dispute. The petitioners have claimed that they have rendered more than 240 days of service. To prove the employment, the petitioners have not filed any document before the Labour Court and they were engaged as contract labourers on daily wage basis. The Labour Court has also dismissed the petition based on the sole ground that the petitioners have not proved their employment, which is perfectly in order and the same does not warrant any interference.



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7. In the result, the writ petitions are dismissed. No costs.

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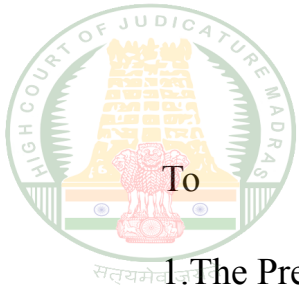
rli

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To

1.The Presiding Officer

WEB C O Addl.Labour Court, High Court
Buildings, Chennai-600 104.

2.The Special Officer

Entrepreneurship Development Institute
(government Of Tamilnadu)
T.I.Building-i And Ii Floor,
Opp.Guindy Railway Station, Guindy,
Chennai-600 032.

3.The Chairman

Small Industries Department,
(government Of Tamilnadu), Chennai-
600 009.



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M.DHANDAPANI J.

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