



W.P.No.25179 of 2015

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.04.2025

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.25179 of 2015

and

M.P.No.1 of 2015

1.The Commissioner,
Corporation of Chennai,
Ripon Buildings,
Chennai – 600 003.

2.The Superintendent Engineer,
Mechanical Department,
Corporation of Chennai.

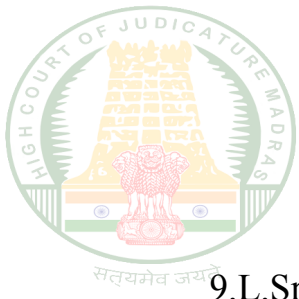
... Petitioners

Vs.

1.The Labour Inspector,
Authorized under the Tamil Nadu Industrial Establishments
(Conferment of Permanent Status to Workmen) Act, 1981,
Circle – III,
Chennai.

2.Munisamy
3.Tamilvanan
4.D.Anadaraj
5.R.Kannan
6.J.Elumalai
7.E.Nagaraj
8.Rajesh

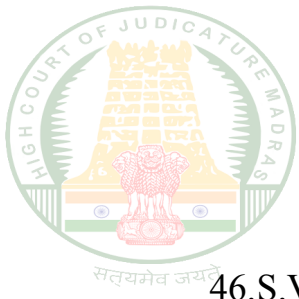
Page No.1 of 10



W.P.No.25179 of 2015

WEB COPY

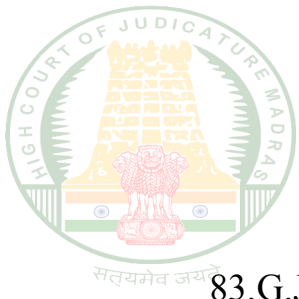
- 9.L.Srinivasan
- 10.K.Srinivasan
- 11.M.Isral
- 12.S.Dhanikachalam
- 13.M.Venkat Rao
- 14.M.Elumalai
- 15.P.Shankar
- 16.P.Rajesh
- 17.M.Raj
- 18.S.Sathish Kumar
- 19.P.Prasanna Kumar
- 20.N.Johnsy Rani
- 21.Babu Rao
- 22.Anandan
- 23.S.Lingeswaran
- 24.K.Arumugam
- 25.T.Venkatrao
- 26.J.Jeeva
- 27.M.Murugan
- 28.R.Ravichandran
- 29.G.Venkata Rao
- 30.M.Chandran
- 31.K.Samuvel
- 32.N.Kamaraj
- 33.R.Adhi
- 34.S.Gopal
- 35.G.Suresh
- 36.N.Murali
- 37.M.Loganathan
- 38.M.Venkatesalu
- 39.A.James
- 40.K.Hendry
- 41.E.Mohan
- 42.S.Bala
- 43.R.Venkatesan
- 44.P.Selvaraj
- 45.M.Rajan



W.P.No.25179 of 2015

WEB COPY

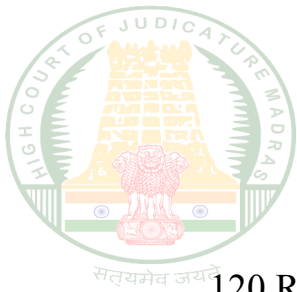
- 46.S.Vijayakumar
- 47.S.Madan
- 48.G.Mohan
- 49.E.Singaravelan
- 50.C.Devaraj
- 51.K.Loganathan
- 52.K.Joseph
- 53.S.Kumaravel
- 54.L.Sivasankar
- 55.N.Vinodh
- 56.L.Purushothaman
- 57.D.Raja
- 58.D.Kannan
- 59.A.Murali
- 60.R.Silambarasan
- 61.G.Sureshkumar
- 62.K.Baskar
- 63.K.Palani
- 64.P.Deivasigamani
- 65.K.Chandrasekar
- 66.D.Govindaraj
- 67.M.Karunakaran
- 68.R.Arun
- 69.R.Suresh
- 70.G.Murugan
- 71.S.Munusamy
- 72.C.Ravi
- 73.M.Ruba Krishnan
- 74.R.Rithish
- 75.A.Rajeshkumar
- 76.M.Gnansekar
- 77.S.Abudhakhir
- 78.J.Vinodhbabu
- 79.G.Ravi
- 80.G.Thirupathiaya
- 81.N.Venkatesan
- 82.K.Manikandan



W.P.No.25179 of 2015

WEB COPY

- 83.G.Jagadeesan
- 84.M.Jayaraman
- 85.R.Jayaraman
- 86.M.Rajendran
- 87.S.D.Devasagayam
- 88.K.Arunakiri
- 89.B.Kumar
- 90.A.Sureshbabu
- 91.D.Boopathy
- 92.J.D.Danial
- 93.O.V.Manikandan
- 94.S.Sriram
- 95.P.Babu
- 96.H.Vengadesan
- 97.Y.Suresh
- 98.A.Karthik
- 99.P.Sampath Kumar
- 100.M.Rajan
- 101.E.Mohan
- 102.M.Nagarajan
- 103.M.Gnanasekar
- 104.Y.Pillaiyah
- 105.K.Vengadesan
- 106.G.Hariharan
- 107.K.Vijayakumar
- 108.S.Mohammed Ali
- 109.Vasu
- 110.R.Babu
- 111.S.Prabu
- 112.G.N.Srinivasalu
- 113.R.Ravi
- 114.A.Mohan
- 115.A.Vadivelan
- 116.R.Ragavan
- 117.D.Selvamakesh
- 118.P.Ravikumar
- 119.P.Munusamy



W.P.No.25179 of 2015

120.R.Padmanapan

121.M.Paulraj

122.S.Santhiramurthi

123.T.Chinnamiraiyah

... Respondents

[R96 to R123 are impleaded as per order dt.22.03.2016
made in W.M.P.No.7001 of 2016 in W.P.No.25179 of 2015]

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari, to call for the orders on the file of the 1st respondent herein in Case No.240 of 2013 and quash the impugned order dated 27.01.2015 passed by the 1st respondent herein.

For Petitioners : Mr.S.Gopinathan

For Respondents : Mr.K.Surendran
Additional Government Pleader [R1]
Mr.S.Shanmugasundaram
for Mr.P.Suresh [R2 to R123]

ORDER

This Writ Petition has been filed by the petitioner seeking for issuance of a Writ of Certiorari, to call for the orders on the file of the 1st respondent herein in Case No.240 of 2013 and quash the impugned order dated 27.01.2015 passed by the 1st respondent herein.



W.P.No.25179 of 2015

WEB COPY

2. The case of the petitioners is that the respondents 2 to 132 are contract employees and without rendering 480 days of continuous service in two calendar years under the Corporation of Chennai, they made application before the 1st respondent seeking Conferment of Permanent Status in Case No.240 of 2013. The 1st respondent, passed the impugned order dated 27.01.2015, directing the Corporation of Chennai to regularize the services of the private respondents. Challenging the same, the present writ petition has been filed.

3. Learned counsel for the petitioners submitted that the 1st respondent should have consider that in present case the necessary parties, namely the contractors, who engaged the respondents 2 to 123 for work had not been made as a party to the case. Hence, it is the case for dismissal in limine. Further, he submitted that the 1st respondent ought to have seen that the respondents 2 to 123 are not workmen under the Corporation in order to get the benefit of permanency in Corporation. Accordingly, he prays for allowing the writ petition.



W.P.No.25179 of 2015

WEB COPY

4. Per contra, learned counsel appearing for the respondents 2 to 123 submitted that, some of the documents which are available with the respondents 1 to 123 were not marked before the 1st respondent. Hence, this Court may set aside the impugned order and remand the matter back to the 1st respondent for letting fresh evidence.

5. In response, learned counsel for the petitioners submitted that if this Court is inclined to remand the matter to the 1st respondent, this Court may direct the 1st respondent to decide the conferment of permanent status upon satisfaction of 480 days of service of the respondents 2 to 123 in two calendar years.

6. In view of the above submissions made by the learned counsel for the parties, without going into the merits of the case, this Court sets aside the impugned order dated 27.01.2015 passed by the 1st respondent in Case No.240 of 2013 and the matter is remanded to the 1st respondent for fresh consideration. While re-considering the same, the 1st respondent is directed to permit the parties to let-in fresh evidence and upon



W.P.No.25179 of 2015

WEB COPY

perusing the entire documents and on satisfaction that respondents 2 to 123 have been in employment under the petitioners for a period of 480 days in two calendar years, the 1st respondent shall dispose of the case, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

7. Accordingly, this Writ Petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

15.04.2025

Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes / No
sp



W.P.No.25179 of 2015

WEB COPY

- To
- 1.The Labour Inspector,
Authorized under the Tamil Nadu Industrial Establishments
(Conferment of Permanent Status to Workmen) Act, 1981,
Circle – III,
Chennai.
 - 2.The Commissioner,
Corporation of Chennai,
Ripon Buildings,
Chennai – 600 003.
 - 3.The Superintendent Engineer,
Mechanical Department,
Corporation of Chennai.



WEB COPY



W.P.No.25179 of 2015

M.DHANDAPANI, J.

sp

W.P.No.25179 of 2015

15.04.2025