



W.P.No.9094 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.06.2025

CORAM

THE HONOURABLE MR.JUSTICE **P. DHANABAL**

W.P.No.9094 of 2022

and

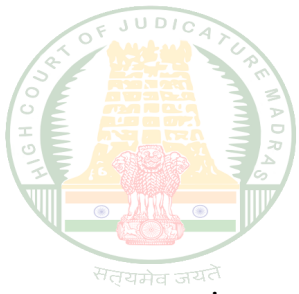
W.M.P.No.8884 of 2022

K.Shenbagam

...Petitioner

Vs.

1. The Director,  
Tamil Nadu Khadi and Village Industries Board,  
Kuralagam, Chennai – 108.
  2. The Deputy Regional Director,  
Tamil Nadu Khadi and Village Industries Board,  
Kumar Nagar, Tiruppur.
  3. The Assistant Director,  
Tamil Nadu Khadi and Village Industries Board,  
Khadi Sub Branch,  
Kedicheviyur, Nambiyur Taluk,  
Erode District.
  4. The Manager, Tamil Nadu Khadi and Village Industries Board,  
Khadi Sub Branch,  
Kedicheviyur, Nambiyur Taluk,  
Erode District.
  5. The Assistant Commissioner of Labour(Enforcement),  
Office of the Assistant Commissioner of Labour,  
Karur.
- ...Respondents



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Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the Respondents 1 to 4 to immediately implement the order passed by the 5<sup>th</sup> respondent in the Claim Petition of the petitioner in Claim Petition No.Na.Ka.A/2873/2018 dated 30.12.2020, passed under the Tamil Nadu Industrial Establishments (Conferment of Permanent Status to Workmen) Act, 1981, wherein the 5<sup>th</sup> respondent have directed the respondents 1 to 4 to regularize the services of the petitioner within 30 days from the receipt of the order with backwages and consequential benefits.

For Petitioner : M/s.M.Purushothaman

For Respondents : Mr.C.Rajakumar for R1 to R4  
Mr.E.P.Senniyangiri, GA for R2

### **ORDER**

This writ petition has been filed seeking a direction to the respondents 1 to 4 to implement the order dated 30.12.2020 passed by the fifth respondent, wherein the fifth respondent has directed the respondents 1 to 4 to regularise the services of the petitioner along with backwages and other benefits within a period of four months from the date of the said order.

2. When the matter is taken up for hearing, the learned counsel for the petitioner submitted that the issue involved in this writ petition is no



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longer *res integra* and further submitted that the said issue is already covered by the decisions of this Court in W.P.(MD).No.8884 of 2020 dated 09.03.2023 and W.A.(MD).No.1053 of 2024 dated 25.06.2024. The relevant portion of the judgment passed by the Division Bench of this Court W.A.(MD).No.1053 of 2024 dated 25.06.2024 is extracted hereunder:

*“7. Therefore, what has been concluded by the Division Bench by order dated 24.07.2018, has been confirmed by the order of the Hon'ble Supreme Court, cited supra. When that being the case, the learned Single Judge dismissed the said writ petition on the ground that the similar orders conferring the permanency were passed by the statutory authority and the same was put to challenge in W.P.No.1160 of 2009 by the Board, as against which, writ appeal was filed in W.A.No.758 of 2016 and it was dismissed by the Division Bench on 24.07.2018. The said order dated 24.07.2018 of the Division Bench has been followed by the learned Judge in the order impugned.*

*8. Therefore the said approach of the learned Judge and the conclusion reached by him in dismissing the writ petition through the impugned order, cannot be said to be erroneous and therefore, we are not inclined to interfere with the said decisions.”*



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**WEB COPY** 3. In view of the issue having been settled already and the present case falls squarely within the four corners of the said decisions, this Court is inclined to allow this Writ Petition in the same line by following the above orders.

4. With the above observation, this writ petition is allowed and the respondents 1 to 4 are directed to implement the order dated 30.12.2020 passed by the fifth respondent as expeditiously as possible. No costs. Consequently, connected miscellaneous petition is closed.

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Speaking Order : Yes/ No  
Index : Yes/ No  
NCC : Yes/ No



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To

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Kuralagam, Chennai – 108.
2. The Deputy Regional Director,  
Tamil Nadu Khadi and Village Industries Board,  
Kumar Nagar, Tiruppur.
3. The Assistant Director,  
Tamil Nadu Khadi and Village Industries Board,  
Khadi Sub Branch,  
Kedicheviyur, Nambiyur Taluk,  
Erode District.
4. The Manager, Tamil Nadu Khadi and Village Industries Board,  
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**P. DHANABAL, J.**

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