



WEB COPY

WP No. 8920 of 2019



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-04-2025

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THE HONOURABLE MS JUSTICE R.N.MANJULA

WP No. 8920 of 2019

AND

**WMP NO. 9497 OF 2019, WMP NO. 9496 OF 2019, WP NO. 8928 OF
2019, WMP NO. 9490 OF 2019, WMP NO. 9493 OF 2019, WMP NO. 9489
OF 2019, WMP NO. 9494 OF 2019, WP NO. 8931 OF 2019**

1. V.Sivasankaran

S/o. Varadharaj, Door No. 341,
Vedanthangal Road, Perumalpillai
Complex, Padalam Kuttu Road,
Madurantakam Tk, Kanchipuram
District Kancheepuram

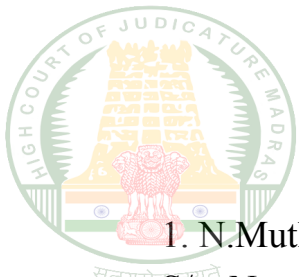
Petitioner(s)

Vs

1. The Commissioner of Sugars,
No. 690 Anna Salai, Nandanam,
Chennai - 600035 Chennai

2.G.1628, Madurantakam Co-Operative
Sugar Mills Ltd.,
Rep. by The Managing Director,
Padalam, Madurantakam TK,
Kancheepuram District - 603308

Respondent(s)



WP No. 8928 of 2019

1. N.Muthuraman,
S/o. Nandagopal, Door No. 341,
Vedanthangal Road, Perumalpillai
Complex, Padalam Kuttu Road,
Madurantakam Tk, Kanchipuram
District Kancheepuram

Petitioner(s)

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Sugar Mills Ltd.,
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Padalam, Madurantakam TK,
Kancheepuram District - 603308

Respondent(s)

WP No. 8931 of 2019

1. R.Mumoorthy,
S/o. Ramasamy, Door No. 341,
Vedanthangal Road, Perumalpillai
Complex, Padalam Kuttu Road,
Madurantakam Tk, Kanchipuram
District Kancheepuram

Petitioner(s)

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Respondent(s)

WP No. 8920 of 2019

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of certiorarified mandamus calling for the records relating to the proceedings made in Rc.No. 6713/ SL2/ 2015 dated 16.02.2018 passed by the 1st respondent quash the same and consequently direct the respondents to fix the basic scale of pay of the petitioner who was redeployed on 14.12.2012 to the 2nd respondent Sugar Mill treating him as regular employee in terms of the communication made in No. Pa.Aa/ 103/ GA1/ 2013 dated 20.05.2014 by Madura Sugar Mills to the 2nd respondent with all attendant benefits with arrears forthwith

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WP No. 8931 of 2019

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In all writ petitions:

For Petitioner(s): Mr.M.Ilansezhian
for M/s.G.Ethirajulu

For Respondent(s): Mr.R.Balaramesh
for R2
Mr.S.Ravikumar
Special Government Pleader
for R1

**COMMON ORDER**

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These writ petitions are filed to call for the records relating to the proceedings of the first respondent in Rc.No. 6713/ SL2/ 2015 dated 16.02.2018 and quash the same and consequently direct the respondents to fix the basic scale of pay of the petitioners who were redeployed on 14.12.2012 to the 2nd respondent Sugar Mill, by treating them as regular employees in terms of the communication made in No. Pa.Aa/ 103/ GA1/ 2013 dated 20.05.2014 by the Madura Sugar Mills to the 2nd respondent, with all attendant benefits with arrears forthwith

2. The petitioner were originally working at the Madura Sugar Mills, Madurai District and were redeployed to the second respondent sugar mills and they have been appointed by issuance of the appointment order dated 14.12.2012. The petitioners have given representation to the respondents to consider their past services in the Madura Sugar Mills in order to refix their pay scale in the present position in which they have been appointed in the second respondent sugar mills.

3. Mr.M.Ilansezhian, the learned counsel for the petitioners, submitted that persons similar to the petitioners who have been absorbed in re-deployment in various other sugar mills have been given with the same benefit but only the second respondent declines to grant the same. The representation given in this regard to the first respondent has been forwarded to the second respondent with



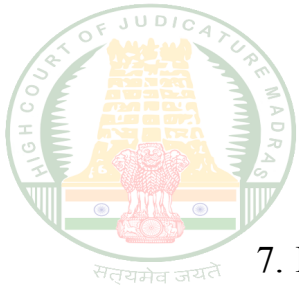
an advise to act as per the terms and conditions laid down in redeployment posting orders.

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4. Mr.R.Balaramesh, the learned counsel for the second respondent, submitted that the terms and conditions of deployment would state that the petitioner's absorption in the second respondent sugar mill will be considered as fresh appointment and they will be undergoing the probation also.

5. However there is no specific order passed by the second respondent consequent to the direction given by the first respondent. In fact on 17.06.2015 the first respondent sent a communication to the General Manager, Tamil Nadu Sugar Mill Corporation, seeking clarification as to whether the petitioners have been sent to the second respondent mill on transfer of service / redeployment / deputation.

6. It is not known from the submission made by the learned counsel for the respondents 1 and 2 about the further action taken by the General Manager in this regard. As the petitioners have stated that similar persons absorbed in various sugar mills have been given with the relief of fixation of pay by considering their past services, I feel the first respondent shall re-look the matter and consider the representation of the petitioners afresh and give appropriate direction to the second respondent in order to enable the second respondent to pass further orders.



7. In view of the above, these writ petitions are disposed by quashing the impugned order passed by the first respondent in Rc.No. 6713/ SL2/ 2015 dated 16.02.2018 and the first respondent is directed to consider the petitioner's representation afresh after ascertaining whether the relief sought by the petitioners have been granted to the similarly placed persons absorbed in the other sugar mills and whether they have also been given with the appointment on the same terms and conditions as that of the petitioners appointments and pass orders after considering these aspects in this regard and after giving personal hearing to both parties, within a period of four weeks from the date of receipt of a copy of this order. No costs. Connected miscellaneous petitions are closed.

23-04-2025

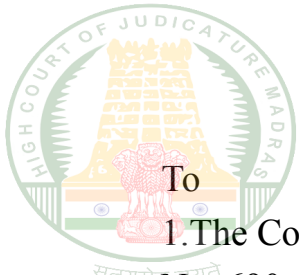
Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To

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600035 Chennai

2.G.1628, Madurantakam Co-Operative Sugar Mills
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