



WEB COPY



W.P.No.9110 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.06.2025

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

W.P.No.9110 of 2022

and

W.M.P.No.8893 of 2022

The Chief Executive Officer,
Tamil Nadu Khadi and Village Industries Board,
5th Floor, Kuralagam,
Chennai – 600 104.

...Petitioner

Vs.

1. K.Shenbagam
2. The Assistant Commissioner of Labour,
Erode.

...Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the records comprised in Na.Ka.No.A/2873/2018 dated 30.12.2020 on the file of the 2nd respondent Assistant Commissioner of Labour, Erode and quash the same as arbitrary, illegal, contrary to principles of law and rules of natural justice.

For Petitioner : M/s.C.Rajakumar

For Respondents : Mr.M.Purushothaman for R1
Mr.E.P.Senniyangiri, GA for R2



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ORDER

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



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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.”

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 dismiss this Writ Petition in the same line by following the above orders.

4. With the above observation, this writ petition is dismissed. 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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P. DHANABAL, J.

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To

1. The Assistant Commissioner of Labour,
Erode.

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