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W.P.No.16243 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.07.2025

CORAM

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.P.No.16243 of 2025

And

W.M.P.Nos.18373 and 18374 of 2025

- 1.J.Murugesan
- 2.G.Manikkam
- 3.J.Dellibabu
- 4.B.Bakka Masthan
- 5.E.Yuva Kumar
- 6.D.Saravanan
- 7.R.Shankar
- 8.N.Raja
- 9.G.Manu
- 10.K.Prakash
- 11.A.Udhayakumar
- 12.N.Yesudass
- 13.P.Dinesh
- 14.K.Mohan Kumar

... Petitioners

Vs.

- 1.The Commissioner,
Rural Development & Panchayat Directorate,
Chennai 600 015.
- 2.The District Collector,
Chengalpattu.
- 3.The Block Development Officer,
St.Thomas Mount Union,
Chitlapakkam,
Chennai 600 064.

... Respondents



W.P.No.16243 of 2025

WEB COPY

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records relating to the impugned order passed by the first respondent in his proceedings Ne.Mu.Ka.No.23715/2021/F2 dated 28.02.2025 and the consequential order of the second respondent passed in his proceedings Na.Ka.No.4419/2022/PE 1 dated 11.03.2025 and quash the same and consequently direct the respondents herein to regularise the services of the petitioners into regular time-scale of pay in the light of the Judgment of the Hon'ble Supreme Court reported in 2024 SCC Online SC 3826 in Jaggo Vs Union of India and others, together with all consequential service and monetary benefits, within a time-frame as deem fit and proper by this Hon'ble Court.

For Petitioners : Mr.G.Bala

For Respondents : Mr.R.U.Dinesh Raj Kumar for R1 and R2
Additional Government Pleader
Mr.G.Prasanna for R3
Government Advocate

ORDER

The petitioners have filed this writ petition seeking issuance of Writ of Certiorarified Mandamus to call for the records relating to the impugned order passed by the first respondent in his proceedings Ne.Mu.Ka.No.23715/2021/F2 dated 28.02.2025 and the consequential



W.P.No.16243 of 2025

WEB COPY

order of the second respondent passed in his proceedings Na.Ka. No.4419/2022/PE 1 dated 11.03.2025 and quash the same and consequently direct the respondents to regularise the services of the petitioners into regular time-scale of pay in the light of the Judgment of the Hon'ble Supreme Court reported in 2024 SCC Online SC 3826 in Jaggo Vs Union of India and others, together with all consequential service and monetary benefits, within a time-frame as deem fit and proper by this Court.

2.The learned counsel appearing for the petitioners would submit that already the petitioners approached the Authority under the Tamil Nadu Industrial Establishment (Conferment of Permanent Status) Act and accordingly, the Authority has conferred permanent status to the petitioners under Section 3(i) of the Tamil Nadu Industrial Establishment (Conferment of Permanent Status) Act. It is the submission of the petitioners that the respondents without following due process of law have proposed to terminate the service of the petitioners.

3.The fact remains that the impugned proceedings is the



W.P.No.16243 of 2025

WEB COPY

proposed termination, which cannot be adjudicated at this stage as the petitioners come within the definition of 'workmen'. If at all any termination order is passed, the remedy available to the petitioners is before the Labour Court by raising dispute under Section 2A of the Industrial Disputes Act. Apart from that, if any due is to be received from the respondents, it is for the petitioners to file appropriate application for computation of their entitlement. The petitioners cannot seek any regularisation on the basis of the impugned proceedings as it goes counter to the judgment of the Hon'ble Supreme Court in the case of ***State of Karnataka and others Vs. Uma Devi and others [AIR 2006 SC 1806]***, ***State of Rajasthan Vs. V.Dayala Lal and others [AIR 2011 SC 1193]***.

4. In such view of the matter, this Court does not find any merits in the writ petition. The writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

02.07.2025

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Index: Yes/ No

Speaking Order: Yes/ No

NCC: Yes/ No

4/6



W.P.No.16243 of 2025

WEB COPY

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