



WEB COPY



W.P.No.18077 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :04.06.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.18077 of 2025

K. Vijayaraghavan

... Petitioner

VS-

1. The Managing Director,
The Tamilnadu State Transport Corporation(Salem) Ltd,
No.12, Ramakrishnan Road,
Salem.
2. The General Manager,
The Tamilnadu State Transport Corporation(Salem) Ltd,
Dharmapuri Circle,
Bharathipuram,
Dharmapuri District.
3. The Assistant Commissioner of Labour
(Enforcement)
Authority under Tamilnadu Industrial
Establishment (Conferment of Permanent
Status to Workmen)Act, 1981
Salem.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to praying to issue a Writ of Mandamus directing the respondents 1 and 2 to consider the petitioner's representations dated 03.03.2025 and 08.04.2025 based on the order passed in the 3rd



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respondent in Na.Ka.No.A/2160/2012 dated 06-12-2018 and given all benefits.

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For Petitioner : Mr. M. Selvam
For Respondent-3 : Mr. M. Murali
Government Advocate

ORDER

The above Writ Petition is filed for a mandamus directing the respondents 1 and 2 to consider the petitioner's representation dated 03.03.2025 and 08.04.2025 based on the order passed by the 3rd respondent dated 06.12.2018 and consequently grant all benefits to the petitioner.

2. The petitioner would submit that he had joined the services of the 1st respondent Department as a temporary employee in the Krishnagiri Branch on a daily wage basis. After 2 years, he was made permanent on 11.12.2013 and from 2007 onwards, the petitioner was working as a Driver in the 1st respondent-Department.

3. The petitioner would submit that one Senthilkumar, who had



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been appointed as a Driver in the 1st respondent-Department in the year 2007 through the recruitment process, had approached the 3rd respondent seeking permanent status as a workman as per Section 3 of the Tamil Nadu Industrial Establishment (Conferment of Permanent Status) Act, 1981 which provides that where any workman has been in continuous service for 480 days within a 24-calender month period in an industrial establishment, he shall be made permanent. Pursuant to this, the said Senthilkumar was also given the permanent status by orders of the 3rd respondent dated 06.12.2018. Though the 1st respondent had challenged the order passed by the 3rd respondent in W.P.No.31897 of 2019 before this Court, the Writ Petition was dismissed and the order passed by the 3rd respondent was upheld. The writ appeal filed by the 1st respondent also evoked the same result. Therefore, the petitioner had submitted representations seeking similar relief, which have not yet been considered. Hence, the petitioner is before this Court.

4. Heard the learned counsel for the petitioner and the learned Government Advocate appearing on behalf of the 3rd respondent.



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5. Considering the limited request made by the petitioner particularly in the light of a similarly placed workman getting a favourable order, the Writ Petition is allowed and a mandamus is issued to the respondents 1 and 2 to consider the representations of the petitioner dated 03.03.2025 and 08.04.2025 and pass a speaking order within a period of 6 weeks from the date of receipt of a copy of this order. No costs.

04.06.2025

Index: Yes/No

Speaking order/non-speaking order

Neutral Citation: Yes/No

srn

To,

The Managing Director,
The Tamilnadu State Transport Corporation(Salem) Ltd,
No.12, Ramakrishnan Road, Salem.

2. The General Manager,
The Tamilnadu State Transport Corporation(Salem) Ltd,
Dharmapuri Circle,
Bharathipuram,Dharmapuri District.

3. The Assistant Commissioner of Labour
(Enforcement)
Authority under Tamilnadu Industrial
Establishment (Conferment of Permanent
Status to Workmen)Act, 198, Salem.

P.T.ASHA, J.,



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