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W.P.No.20114 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 09.06.2025

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THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.20114 of 2025

M.Govindaraju

... Petitioner

Vs

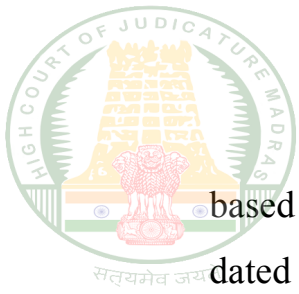
1.The Managing Director
The Tamil Nadu State Transport Corporation
(Salem) Ltd.,
No.12, Ramakrishnan Road
Salem.

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

3.The Assistant Commissioner of Labour (Enforcement)
Authority under Tamil Nadu 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 issue a Writ of Mandamus directing the respondents 1 and 2 to consider the petitioner's representations dated 03.03.2023 and 08.04.2025



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based on the order passed by the third 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 : Ms.M.Jayanthi
Additional Government Pleader for R3

ORDER

The petitioner who is the employee of the respondent-Corporation has filed the above writ petition seeking a mandamus to direct the respondents 1 and 2 to consider his representations dated 03.03.2025 and 08.04.2025, and to provide him the benefits, based on the order passed by the third respondent dated 06.12.2018 in Na.Ka.No.A/2160/2012.

2. It is the case of the petitioner that on 19.10.2007, he had joined the services of the respondent-Corporation, Hosur Branch as a temporary employee on a daily wage basis and served as a Conductor for a period of four years. After the completion of his four years of service in the respondent-Corporation, he was made permanent on 21.08.2012. The petitioner would plead that as per Section 3 of the Tamil Nadu Industrial



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Establishment (Conferment of Permanent Status) Act, 1981 [herein after referred to as 'Act'], a workman who had put in continuous service for 480 days within 24-calendar month in an industrial establishment, shall be made permanent and hence, he seeks to revise his date of conferment of permanent status as per Sec.3 of the Act. In this regard, the petitioner had submitted his representations dated 03.03.2025 and 08.04.2025 to the respondents 1 and 2. Since his representations were kept in abeyance and no action was taken by the respondents in regularising the services of the petitioner as per Sec.3 of the Act, the petitioner is before this Court.

3. In support of his contention, the petitioner had brought to the notice of the Court the case of a similarly placed workman in his establishment viz., one Senthilkumar, who was appointed as a driver in the first respondent-Corporation in the year 2007. The said Senthilkumar had approached the third respondent seeking conferment of permanent status as per Section 3 of the Act, and the third respondent by order dated 06.12.2018 in Na.Ka.No.A/2160/2012 has granted permanent status to him. This order of the third respondent was challenged by the first respondent-Corporation in W.P.No.31897 of 2019 before this Court, which came to be dismissed on



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27.01.2022. Aggrieved by the said order, the first-respondent preferred an appeal in W.A.No.2775/2022, which also ended in a dismissal, thereby giving finality to the order passed by the third respondent.

4. Heard the learned counsel for the petitioner. Ms.M.Jayanthi, learned Additional Government Pleader has entered appearance for the third respondent.

5. The first representation of the petitioner dated 03.03.2025 seeking to revise his date of conferment of permanent status was not considered by the respondents, as also the second representation of the petitioner dated 08.04.2025. Considering the fact that the petitioner is seeking a limited relief in lines of the earlier order of the third respondent dated 06.12.2018, *inter alia* offering conferment of permanent status to a similarly placed workman, the said benefit may also be extended to the petitioner herein. Accordingly, the writ petition is allowed and a mandamus is issued to the respondents 1 and 2 to consider the petitioner's representations dated 03.03.2025 and 08.04.2025, and pass orders on the basis of the third respondent's order dated 06.12.2018 in Na.Ka.No.A/2160/2012 with all



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attendant benefits, within a period of six weeks from the date of receipt of a copy of this order. No costs.

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Index : Yes / No

Neutral Citation : Yes / No

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P.T. ASHA, J.

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