



WEB COPY

WP No. 24638 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-07-2025

CORAM

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

WP No. 24638 of 2025

1. R.Ramesh
S/o.Raju

Petitioner(s)

Vs

1. The Management
The Nilgiris District Central
Cooperative Bank,
Rep. By Its Managing Director,
Udhagamandalam.

2.The Inspector Of Labour
Coonoor, The Nilgiris.

Respondent(s)

PRAYER

Directing the 2nd respondent to take necessary and appropriate action to implement his order dated 10.03.2025 in Na.Ka. No.939 of 2013 in respect of providing permanent status for the petitioner's appointment by providing all the attendant benefits with effect from 31.12.2005 within time stipulated by this Court.



WEB COPY

WP No. 24638 of 2025



For Petitioner(s): M/s. A.Ilayaperumal

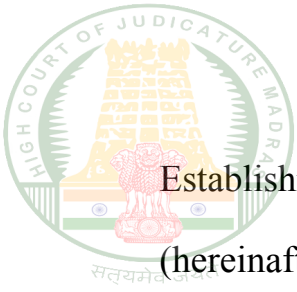
For Respondent(s): Mr.K.Tamilvanan,
Govt.Advocate For R1 and R2

ORDER

This writ petition has been filed directing the 2nd respondent to take necessary and appropriate action to implement the order dated 10.03.2025 in Na.Ka.No.939 of 2013 in respect of providing permanent status for the petitioner's appointment by providing all the attendant benefits with effect from 31.12.2005.

2. Learned counsel for the petitioner would submit that the 2nd respondent has passed an order on 10.03.2025 confirming the permanent status to the petitioner and against which, the 1st respondent preferred a writ petition in W.P.No.5976 of 2014, wherein this Court vide order dated 08.06.2022 rejected the petitioner's claim and confirmed the order of the 2nd respondent. It is further submitted that, having the 2nd respondent confirmed the permanent status of the petitioner, the 1st respondent is not initiating any action to regularise him. Hence, he has sent a representation on 20.09.2024 and such representation is pending with the 1st respondent.

3. The very submissions made by the learned counsel for the petitioner flows from the order of the authority passed under the Tamil Nadu Industrial



Establishments (Conferment of Permanent Status to workman) Act, 1981 (hereinafter referred to as 'Act'). The main grievance of the petitioner is that the order passed under the said Act has not been complied by the 1st respondent.

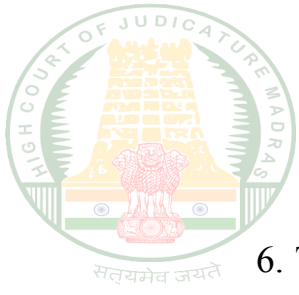
4. At this juncture, this Court deems it appropriate to refer Section 6 of the above Act,

“6. Penalties.- (1) Every employer who contravenes the provisions of section 3 shall be punishable with fine which may extend to five thousand rupees and in the case of continuing offence with a further fine which may extend to two hundred rupees for every day after the first during which the offence continues.

1 [(2) Every employer who contravenes the provisions of any rule made under section 10 shall be punishable, for a first offence, with fine which may extend to five hundred rupees, and for a subsequent offence, with fine which may extend to one thousand rupees)]

2 [(3)] No prosecution for an offence punishable under the section shall be instituted except with the previous sanction of the prescribed authority.”*

5. According to the above Section, if an employer contravenes the provisions of the confirmation of status shall be punishable with fine which may extend to five thousand rupees and in the case of continuing offence with a further fine which may extend to two hundred rupees for every day after the first during which the offence continues.



WEB COPY

6. Therefore, the petitioner has got remedy to execute the order of the 1st respondent by filing appropriate application under Section 6 of the said Act. Hence, this Court do not find any merits to pass any mandamus against the 1st respondent, and the petitioner is given liberty to approach the authority concerned by filing appropriate application. If such application is filed, the concerned authority is directed to dispose of the same within a period of three months from the date of receipt of a copy of this order.

7. Accordingly, the writ petition stands disposed of. No costs. Consequently, the connected miscellaneous petitions, if any, are closed.

08-07-2025

gd

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



WP No. 24638 of 2025



WEB COPY

1.The Management
The Nilgiris District Central
Cooperative Bank, Rep. By Its
Managing Director, Udhagamandalam.

2.The Inspector Of Labour
Coonoor, The Nilgiris.



WEB COPY

WP No. 24638 of 2025



C.KUMARAPPAN J.

gd

WP No. 24638 of 2025

08-07-2025