



W.P.No.30220 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.08.2025

CORAM:

THE HONOURABLE MS. JUSTICE P.T.ASHA

W.P.No.30220 of 2025

S.Mukesh

.. 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, to issue a Writ of Mandamus directing the respondents 1 and 2 to consider the petitioner's representation dated 08.04.2025 and 01.07.2025 based on the order passed in the third respondent in



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Na.Ka.No.A/2160/2012 dated 06.12.2018 and conform the order in
W.A.No.2775 of 2022 dated 30.08.2023.

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For Petitioners : Mr.M.Selvam

For Respondents : Mr.K.Raja
Standing Counsel for R1 & R2
: Mr.M.Murali
Government Advocate for R3

ORDER

The petitioner in this Writ Petition seeks a Mandamus to the Respondents 1 and 2 to consider his representations dated 08.04.2005 and 01.07.2005, calling upon the respondents to revise the date of conferment of permanent status from 2013 to comply with 480 days of his joining service and to provide him the scale of pay applicable to a regular employee, which is in compliance with the order in W.A.No.2775 of 2012. The petitioner had obtained the licence of Driver and registered his name in the Employment Exchange. In the year 2007, he had received a call letter for recruitment for the post of Driver in the respondent/corporation through the Employment Exchange. The petitioner had participated in the recruitment process and he was selected as a driver. On 12.04.2007, the petitioner had joined in the Krishnagiri Branch of the first respondent.



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2. The petitioner would submit that one Senthil Kumar who had been appointed as driver in the respondent corporation in the year 2007, had approached the third respondent seeking permanent status as workman as per Section 3 of Tamil Nadu Industrial Establishment (Conferment status) Act, 1981, (hereinafter called as “Act”) which provides that any workman who had continued service of 480 days within 24 calendar months in an Industrial Establishment, would be made permanent. By order dated 06.12.2018, the third respondent had granted permanent status to the drivers. However, the petitioner had not been granted this status.

3. Aggrieved by the order of the third respondent, the first respondent had preferred W.P.No.31897 of 2019 and by order dated 27.01.2022, this Court had upheld the order passed by the third respondent and dismissed the Writ Petition filed by the first respondent. W.A.No.2775 of 2012 was preferred by the first respondent which was also been dismissed and therefore, the petitioner had made a representation to the respondent to regularise his post as per the order passed in W.A.No.2775 of 2012 confirming the order in W.P.No.31897



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of 2019. Since the respondents are not acting upon his representation,

this petitioner has approached this Court.

4. Heard the learned counsel on either side.

5. The petitioner seeks regularisation on the basis of Section 3 of the Act and on par with the orders passed in respect of similar workman, by this Court. In the case of Senthil Kumar, this Court by order dated 27.01.2022, was pleased to uphold the order of authority, regularising his services. The petitioner is also similarly placed. Therefore, the respondents 1 and 2 are directed to consider the petitioner's representation, in the light of the order passed in W.A.No.2775 of 2012, within a period of two months from the date of receipt of a copy of this order.

Accordingly, this Writ Petition is allowed. No costs.

12.08.2025

(3/3)

dh

Index: Yes/No

Internet: Yes/No



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