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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-08-2025

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THE HONOURABLE MR.JUSTICE K. SURENDER

WP No. 30435 of 2025

J.Murugesan

....Petitioner(s)

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.

Respondent(s)

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, to direct the respondents 1 and 2 to consider the petitioner's representation dated 08.04.2025 and 01.07.2025 based on the order passed by the 3rd respondent in Na.Ka.No. Aa/2160/2012 dated 06.12.2018 and conform the order in WA No. 2775 of 2022 and given all benefits.



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For Petitioner : Mr.M.Selvam

For Respondents :Mr.K.Raja, St.counsel for R1 & 2
Mr.A.N.Purushotham, for R3

ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus, to direct the respondents 1 and 2 to consider the petitioner's representation dated 08.04.2025 and 01.07.2025 based on the order passed by the 3rd respondent in Na.Ka.No.Aa/2160/2012 dated 06.12.2018.

2.The petitioner would submit that in the year 2007 through Employment Exchange he received a call letter for recruitment for the post of Driver in the Tamil Nadu State Transport Corporation, (Salem) Ltd. The petitioner has participated in the recruitment process and he was selected for the post of Driver.

3.The petitioner joined the service as a temporary employee on a daily wage basis and after nine years he was made permanent on 01.02.2016. From 2007, the petitioner was working as a Driver in the 1st respondent department. One Senthilkumar who is appointed as a Driver in the 1st

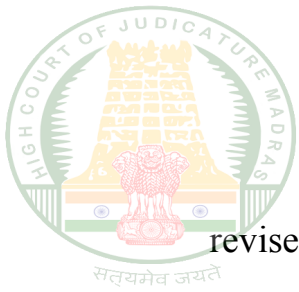


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respondent department during the year 2007 recruitment process had approached the 3rd respondent seeking for permanent status as a workman as per Section 3 of the Tamilnadu Industrial Establishment (Conferment of Permanent Status) Act, 1981 wherein, it had categorically states that any workman in continuous service for 480 days within a 24 calendar month period in an industrial establishment shall be made permanent and the 3rd respondent vide its order passed in Na.Ka.No.Aa/2160/2012 dated 06.12.2018 had granted permanent status to those drivers and conductors.

4. Aggrieved as against the said order passed by the 3rd respondent, the 1st respondent had preferred the Writ Petition in WP.No.31897 of 2019 before this Court and the said Writ Petition came to be dismissed by order dated 27.01.2022. The 1st respondent preferred a Writ Appeal as against the order dated 27.01.2022 passed in WP.No.31897 of 2019 before the Division Bench of this Court and the Division Bench of this Court had also confirmed the decision of the learned Single Judge.

5. The petitioner had submitted a representation in person on 08.04.2025 and also sent RPAD on 01.07.2025 to the respondents 1 and 2 to



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revise the date of conferment of permanent status from 13.09.2012 to comply the 480 days from joining the service and to provide the petitioner the scale of pay applicable for regular employee as per the order in Na.Ka.No.Aa/2160/2012 dated 06.12.2018. No action was taken with regarding to the regularisation of the petitioner's service by the respondents and the petitioner's representation was kept in abeyance without any steps taken by the respondents. Therefore, the petition.

6. Heard the learned counsels and perused the records.

7. Considering the fact that the order passed in Na.Ka.No.Aa/2160/2012 dated 06.12.2018 has been confirmed right upto the Division Bench of this Court and the representations of the petitioner dated 08.04.2025 and 01.07.2025 also seek the very same relief, the benefit granted by these orders may be extended to the petitioner. The representations of the petitioner shall be considered and orders passed, within a period of 6 weeks from the date of receipt of a copy of this order.



WEB COPY 8. Accordingly, the Writ Petition is allowed. No costs.

(K. SURENDER,J.)

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Index : Yes/No

Speaking order: Yes/No

To

1. The Managing Director,
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Corporation(Salem)Ltd, No.12,
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