



W.P.No.34368 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.07.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.34368 of 2024

1. Vengamma
2. C. Macherala

... Petitioners

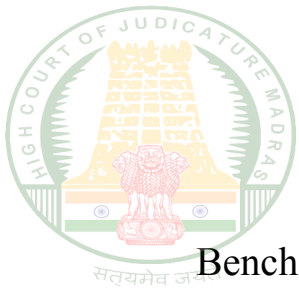
Vs.

1. The Chairman and Managing Director,
Tamil Nadu Generation and Distribution
Corporation Limited
NPKRR Maaligai, 144, Anna Salai
Chennai 600 002

2. The Chief Engineer, (Personnel)
Tamil Nadu Generation and Distribution
Corporation Limited
NPKRR Maaligai, 144, Anna Salai
Chennai 600 002

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus directing the respondent Board to consider the case of the petitioners for absorption into the regular vacancy as per the orders of the Honourable Division



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Bench in WA Nos.1478 and 1479 of 2022 by taking into consideration that there are vacancies in the post of sweepers/scavengers available in the respondent board.

For Petitioner : M/s.Dakshayani Reddy
Senior Counsel for M/s.S.Suneetha

For Respondent : M/s.Anand Gopalan
for M/s.Agam Legal Associates.

ORDER

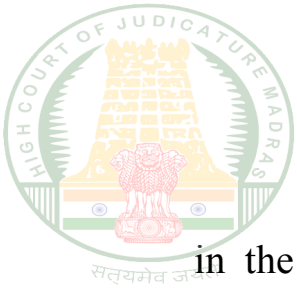
The above Writ Petition is filed for the following reliefs:-

"directing the respondent Board to consider the case of the petitioners for absorption into the regular vacancy as per the orders of the Honourable Division Bench in WA Nos.1478 and 1479 of 2022 by taking into consideration that there are vacancies in the post of sweepers/scavengers available in the respondent board."

2. Heard the learned counsel on either side.

3. The short facts set out in the affidavit are as follows:-

4. The petitioners had been originally inducted as daily wagers



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in the respondent board. Later, they were appointed as Part Time Conservancy Workers with effect from 23.12.1998 (1st petitioner) and 06.11.2002 (2nd petitioner). They were regularised as Part Time Conservancy Workers in a special time Scale of Rs.600-10-700-20-1100. Even after putting in 20 years of service, the petitioners are only receiving Rs.7,400/- per month.

5. The petitioner had raised an Industrial Dispute before the Labour Commissioner seeking the conferment of permanent status. The Labour Commissioner taking into account the long period of service of the petitioners had directed the respondents to confirm their permanent status. Since the same was not given effect to, the petitioners have filed W.P.Nos.24534 & 24536 of 2024 for implementation of the order. In the said Writ Petitions the respondents had filed an affidavit stating that permanent status had already been given effect to from 23.12.1998 and 06.11.2002 respectively. Recording the same, the Writ Petitions have been closed. The petitioners are therefore seeking a direction to the respondents to absorb them as full time workers as and when regular vacancies arise.



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WEB COPY 6. The learned Senior Counsel for the petitioners would rely upon the judgement passed in WA.Nos.1478 & 1479 of 2024 dated 18.06.2024 wherein the Hon'ble Division Bench had observed as follows: -

i) If the respondent employees are working more than two hours, then the appellant board is directed to pay them additional wages for the extra hours, proportionate to the wages presently paid.

ii) If any regular vacancy arises in future, the respondent employees will be considered for appointment as full time regular employees in such regular vacancies."

7. Considering the fact that the petitioners are also similarly placed persons, this Writ Petition is allowed directing the respondents to consider the request of the petitioners in the light of the dicta laid down in WA.Nos.1478 & 1479 of 2022 which has been extracted supra. No costs.



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(shr)

Index : Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No

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P.T. ASHA. J.,

(shr)

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