

WP(MD)Nos.1200 and 6175 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 01.09.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)Nos.1200 and 6175 of 2019
and
W.M.P.(MD)No.1015 of 2019

W.P.(MD)No.1200 of 2019

1. The General Manager,
Tamilnadu State Transport Corporation
(Madurai) Limited,
Bye Pass Road, Dindigul Region,
Dindigul – 624 004.

2. The Branch Manager,
Tamilnadu State Transport Corporation
(Madurai) Limited,
Periyakulam Branch,
Dindigul Region,
Dindigul District.

... Petitioners

versus

1. The Assistant Commissioner of Labour,
Karuvelnayakkanpatti,
Theni – 625 531.

2. L.Murugan

... Respondents

Writ Petition filed under Article 226 of the Constitution of India,
praying for the issuance of a Writ of Certiorari, to call for the records of the
1st respondent in his proceeding in Petition No.1306/2016 dated 15.11.2018



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and quash the same.

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For Petitioners : Mr.J.Senthil Kumaraiah
For R1 : Labour Court
For R2 : Mr.M.Prabhu

W.P.(MD)No.6175 of 2019

L.Murugan

... Petitioner

versus

1. The Assistant Commissioner of Labour,
Karuvelnayakkanpatti,
Theni – 625 531.
2. The General Manager,
Tamilnadu State Transport Corporation
(Madurai) Limited,
Bye Pass Road, Dindigul Region,
Dindigul – 624 004.
3. The Branch Manager,
Tamilnadu State Transport Corporation
(Madurai) Limited,
Periyakulam Branch,
Dindigul Region,
Dindigul District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India,
praying for the issuance of a Writ of Mandamus, to direct the respondents 2
and 3 to implement the order passed by the 1st respondent in petition No.
1306/2016 dated 15.11.2018 within the time frame to be fixed by this Court.



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For Petitioner : Mr.M.Prabu
For R1 : Labour Court
For R2 and R3 : Mr.J.Senthil Kumaraiah

COMMON ORDER

The petitioner L.Murugan was engaged as a reserve driver in the Transport Corporation. He has filed an application before the Assistant Commissioner of Labour, Theni/Authority under the Tamil Nadu Industrial Establishment (Conferment of Permanent Status to Workmen) Act, 1981, seeking permanent status. The said application was allowed by the Assistant Commissioner of Labour, by order dated 15.11.2018. Challenging the same, the petitioner/Transport Corporation has filed a writ petition in W.P. (MD)No.1200 of 2019. Since the Transport Corporation has not implemented the order dated 15.11.2018, the petitioner L.Murugan has also filed a writ petition in W.P.(MD)No.6175 of 2019 seeking a Mandamus to the Transport Corporation to implement the order passed by the Assistant Commissioner of Labour, Theni, dated 15.11.2018.

2. When these writ petitions are taken up for hearing, the learned counsel appearing for the Transport Corporation fairly submits that this issue



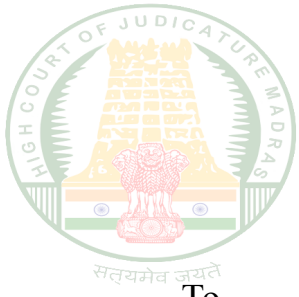
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has already been settled by the Division Bench of this Court in W.A. (MD)Nos.1455 and 1456 of 2018, by Judgment dated 24.10.2018, that a person, who was engaged as a reserve driver is also entitled to get benefits under the Tamil Nadu Industrial Establishment (Conferment of Permanent Status to Workmen) Act, 1981 and the same was upheld by the Hon'ble Supreme Court in SLP (C) No.16821-16822/2024 dated 17.07.2025.

3. In view of the above, W.P.(MD)No.1200 of 2019 is dismissed and W.P.(MD)No.6175 of 2019 is disposed of with a direction to the Transport Corporation to provide permanent employment to the petitioner/driver as directed by the 1st respondent in Petition No.1306/2016 dated 15.11.2018. No costs. Consequently, connected miscellaneous petition is closed.

01.09.2025

NCC : Yes/No
Index : Yes/No
Internet : Yes/No
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B.PUGALENDHI,J.

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