



W.P.(MD).No.14245 of 2019

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

ORDER RESERVED ON : 16.07.2025

ORDER PRONOUNCED ON : 22.07.2025

**CORAM:
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

W.P.(MD).No.14245 of 2019

M.Tiruppathi

....Petitioner

Vs

1.The Chief Engineer/Personnel
8th Floor, Eastern Wing
NPKRR Maaligai
144 Anna Salai
Chennai 600 002

2.The Superintending Engineer
Madurai Electricity Distribution Circle
Tamil Nadu Electricity Board
K.Pudhur
Madurai 625 007

....Respondents

Prayer : This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to consider the representation of the petitioner dated 31.07.2018 and to pass appropriate orders conferring the petitioner's permanent status in the post of “Field Assistant” after completion of 480 working days ie. from the year 1998 based on the order of the Inspector of Labour, Madurai dated 04.08.2009.



WEB COPY



W.P(MD).No.14245 of 2019

For Petitioner : Mr.S.Ramesh
For Respondents : Mr.Anand Gopalan
For M/s.T.S.Gopalan & Co.,

ORDER

The present writ petition has been filed seeking to issue a mandamus directing the respondents to consider the representation of the petitioner dated 31.07.2018 and to confer permanent status in the post of Field Assistant from the year 1998 onwards based upon the order of Inspector of Labour, Madurai dated 04.08.2009.

2.The writ petitioner along with three Assistants had filed an application before the Inspector of Labour, Madurai seeking conferment of permanent status as Field Assistant in Tamil Nadu Electricity Board. The application came to be allowed on 04.08.2009. This order was put to challenge by the Electricity Board in WP(MD).No.990 of 2010 batch case. The writ petition came to be dismissed on 07.09.2010. The writ appeal filed by Tamil Nadu Electricity Board was dismissed as withdrawn in the condone delay stage on 01.08.2013.

3.The petitioner herein had filed a W.P(MD).No.7764 of 2011 seeking a mandamus to implement the order of the Inspector of Labour, Madurai dated 04.08.2009. This writ petition was allowed on 12.06.2012. Alleging



W.P(MD).No.14245 of 2019

WEB COPY

violation of the order of this Court, the petitioner had filed a Contempt Petition(MD).No.640 of 2012. Pending contempt proceedings, the Tamil Nadu Electricity Board had issued an appointment order appointing the petitioner as a Casual Labour Permanently with effect from 23.10.2013. Relying upon the appointment order, the contempt petition was closed on 18.09.2013. Thereafter, the petitioner was brought under the time scale of pay with effect from 24.10.2015 by way of an order dated 17.05.2016. The petitioner has sent a representation on 31.07.2018 seeking conferment of permanent status from the date of completion of 480 days. According to him, he should not have been conferred with permanent status with effect from 23.10.2013 but from an earlier date. Since there was no response to the representation, the present writ petition has been filed.

4.According to the learned counsel for the writ petitioner, the Inspector of Labour by his proceedings dated 04.08.2009 had issued a direction to the Tamil Nadu Electricity Board to confer permanent status upon him on completion of 480 days. Therefore, he should have been conferred with permanent status from the year 1998 onwards. However, he was conferred with permanent status only with effect from 23.10.2013. The writ petition and the writ appeal preferred by Tamil Nadu Electricity Board had already been dismissed. Hence, he submitted that the petitioner should have been granted permanent status from the year 1998 onwards.



W.P(MD).No.14245 of 2019

WEB COPY

5.Per contra, the learned counsel appearing for the respondent/Tamil Nadu Electricity Board submitted that accepting the order of appointment issued by TNEB granting permanency with effect from 23.10.2013, contempt petition was closed. The petitioner had filed WP(MD).No.7764 of 2011 with same prayer and the writ petition was allowed. In the contempt proceedings, accepting the order of appointment of Electricity Board dated 23.10.2013, the contempt petition was closed. Therefore, the present writ petition seeking a similar prayer is not maintainable. He had further submitted that the three other workmen who had obtained conferment of permanent status order along with the petitioner, had suffered an order at the hands of the Hon'ble Division Bench and their right to seek permanent status has been rejected. In such circumstances, the present writ petition may be dismissed.

6.Heard both sides and perused the material records.

7.The petitioner has already filed WP(MD).No.7764 of 2011 with a similar prayer. The writ petition was allowed on 12.06.2012. In the contempt proceedings, the writ petitioner has accepted conferment of permanent status with effect from 23.10.2013 and the contempt petition was closed. The petitioner has not agitated the said order. Based upon this appointment order, the petitioner was absorbed into permanent service and regularised with effect from 24.10.2015 by way of an order dated 17.05.2016. This order was also not challenged by the writ petitioner. Five years after closure of



W.P(MD).No.14245 of 2019

contempt petition, the petitioner has sent a representation contending that he should have been regularised on completion of 480 days.

8.Three other workmen namely Mariappan, Meenakshisundaram and Manikandan were also conferred with permanent status along with the petitioner by an order of Inspector of Labour on 04.08.2009. The Tamil Nadu Electricity Board had challenged those orders before this Court in WP(MD).No.1687 to 1689 of 2010. Those writ petitions were dismissed on 07.09.2010. Challenging the same, the TNEB had filed WA(MD).Nos. 772, 773 and 775 of 2019. The Hon'ble Division Bench was pleased to allow the writ appeals and has set aside the order of the learned Single Judge thereby setting aside the order passed by the authority under Tamil Nadu Industrial Establishments (Conferment of Permanent Status to Workmen) Act, 1981. It is not in dispute that the petitioner was also one of the co-petitioners before the Inspector of Labour along with those three workmen who had suffered an order before the Hon'ble Division Bench.

9.In view of the above said deliberations, there are no merits in the writ petition and the writ petition stands dismissed. No costs.

22.07.2025.

Internet : Yes/No
Index : Yes/No
NCC : Yes/No



W.P(MD).No.14245 of 2019

WEB COPY

1. The Inspector of Labour, Madurai
2. The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



W.P.(MD).No.14245 of 2019

R.VIJAYAKUMAR, J.

msa

Pre-delivery order made in

W.P.(MD).No.14245 of 2019

22.07.2025