



WP(MD)Nos.16673 to 16678 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 14.10.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)Nos.16673 to 16678 of 2023

and

**WMP(MD)Nos.13932, 13934, 13935, 13937, 13933 and 13936 of 2023,
18351, 18356, 18357, 18363 and 18362 of 2023**

Manonmaniam Sundaranar
University,
Rep by its Registrar,
Tirunelveli 627 012,
Tirunelveli District.

...Petitioner in all Writ Petitions

Vs

1.The Assistant Commissioner of Labour (Enforcement) /
The Authority under the Industrial Establishment
(Conferment of Permanent Status to Workmen) Act, 1981,
Tirunelveli, Tirunelveli District.

...1st respondent in all

2.K.Arockia Micheal

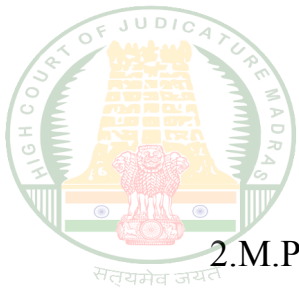
... 2nd Respondent in WP(MD)No.16673 of 2023

2.C.Antony Raj

... 2nd Respondent in WP(MD)No.16674 of 2023

2.S.Shanmuga Sundari

... 2nd Respondent in WP(MD)No.16675 of 2023



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2.M.Panchavarnam

... 2nd Respondent in WP(MD)No.16676 of 2023

2.Manikandan

... 2nd Respondent in WP(MD)No.16677 of 2023

2.T.Jothi Eswari

... 2nd Respondent in WP(MD)No.16678 of 2023

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India to issue a writ of certiorari calling for the records relating to the impugned order passed by the 1st respondent vide his proceedings in Na.Ka.Nos.5582/2018, 5580/2018, 5584/2018, 5583/2018, 5581/2018, and 1385/2019 dated 23.03.2023 and quash the same as illegal.

For Petitioner : Mrs.Jasima Yasmi.H

for M/s. Ajmal Associates

For Respondents : Mr.S.Vinodh,
No.1 Government Advocate

For Respondent : Mrs.D.Geetha
No.2 in all WPs

ORDER

These writ petitions are filed by Manonmaniam Sundaranar University as against the order passed by the Authority under the Tamil Nadu Industrial Establishment (Conferment of Permanent Status to Workmen) Act, 1981 (in short 'the Act'). The authority has passed an



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order directing the petitioner university to confer the permanent status to the workmen / 2nd respondents under the Act.

2.This issue has already been decided by the Hon'ble Supreme Court and it has also been followed by this court in various judgments that the educational institutions will not fall under the category of establishment as defined under the Act.

3.In a similar writ petition filed by workmen this court has held that the deemed university is not an establishment created by the State Government and by relying on the order of the Hon'ble Supreme Court in ***Ruth Soren Vs The Managing Committee, ISSDA***, reported in ***(2001) 2 SCC 115*** this court has held that the educational institutions are not establishments as defined under the Tamil Nadu Shops and Establishment Act, 1947 and therefore, the workmen cannot invoke the provisions of the Tamil Nadu Act 46 of 1981 and the relevant portion reads as follows:

“ 6.Even earlier, this court in Management, Agricultural Research Station Vs. Commissioner of Labour reported in 1998 Supp (MLJ) 407 held that the



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Shops and Establishment Act will not apply to the Tamil Nadu Agricultural University. But, however in that case, this court replied upon the exemption provided under Section 4(1)(c) in respect of the establishments under the control of the State Government. In the present case, the second respondent Deemed university is not an establishment created by the State Government. Therefore, that decision may not help the present case. But since the Supreme Court has authoritatively pronounced that educational institution are not establishments coming under the Shops and Establishment Act, the petitioners cannot invoke the provisions of the Tamil Nadu Act 46/81. Hence the first respondent was correct in rejecting the claim made by the petitioners. There is no case made out to take a different view.

7.Accordingly, the writ petition will stand dismissed. No costs.”

4.Similar view has been taken by this court in ***the Management, Cotton Research Station, Tamil Nadu Agricultural University, Srivilliputhru Vs The Inspector of Labour, Virudhunagar*** [in WP(MD)No.9322 of 2014, dated 01.06.2023]



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5. In view of the above decisions, these writ petitions are allowed.

The impugned orders are set aside. No costs. Consequently connected miscellaneous petitions are closed.

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DSK

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B.PUGALENDHI.J.,

DSK

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