



W.A.(MD) No.442 of 2025 etc. batch

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.08.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN**

**W.A.(MD) Nos.442, 493, 1062, 1075, 1076, 1077, 1078, 2143, 2147,
2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158,
2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167 & 2370 of 2025
and
C.M.P.(MD) Nos.3399, 3845, 6746, 6788, 6789, 6790, 6791, 12339,
12375, 12376, 12377, 12378, 12379, 12380, 12381, 12382, 12383,
12384, 12385, 12386, 12388, 12389, 12390, 12391, 12392, 12394,
12395, 12396, 12397 & 13319 of 2025**

W.A.(MD) No.442 of 2025:

1.The Managing Director
Tamil Nadu State Transport
Corporation Madurai Ltd.,
Bye Pass Road
Madurai-625 010

2.The General Manager
Tamilnadu State Transport
Corporation Madurai Ltd.,
Bye Pass Road
Madurai-625 010

... Appellants

-vs-

O.Veeraiyya

... Respondent



W.A.(MD) No.442 of 2025 etc. batch

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Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 23.04.2024, passed in W.P.(MD) No.9829 of 2024, on the file of this Court.

For Appellants : Mr.Veera Kathiravan
Additional Advocate General
assisted by Mr.S.Gladson Michael Rajadurai

For Respondent : No appearance

W.A.(MD) No.493 of 2025:

1.The Managing Director
Tamil Nadu State Transport
Corporation Madurai Ltd.,
Bye Pass Road
Madurai-625 010

2.The General Manager
Tamilnadu State Transport
Corporation Madurai Ltd.,
Bye Pass Road
Madurai-625 010

... Appellants

-vs-

G.Venkatesan

... Respondent

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 24.06.2024, passed in W.P.(MD) No.13452 of 2024, on the file of this Court.



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W.A.(MD) No.442 of 2025 etc. batch

For Appellants : Mr.Veera Kathiravan
Additional Advocate General
assisted by Mr.S.Gladson Michael Rajadurai

For Respondent : No appearance

W.A.(MD) No.1062 of 2025:

The Management
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
No.27, Railway Station New Road
Kumbakonam-612 001

... Appellant

-vs-

1.The Assistant Commissioner of
Labour (Enforcement)
Thanjavur, Thanjavur District

2.P.Ravichandran

... Respondents

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 18.12.2024, passed in W.P.(MD) No.17284 of 2024, on the file of this Court.

For Appellant : Mr.Veera Kathiravan
Additional Advocate General
assisted by Mr.K.Ramaiah

For Respondents : Mr.S.P.Maharajan
Special Government Pleader for R1
Mr.R.V.Rajkumar
for Mr.H.Mahamed Hussain for R2



W.A.(MD) No.442 of 2025 etc. batch

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W.A.(MD) No.1075 of 2025:

The Management
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
No.27, Railway Station New Road
Kumbakonam-612 001

... Appellant

-vs-

1.The Assistant Commissioner of
Labour (Enforcement)
Thanjavur, Thanjavur District

2.S.Lenin

... Respondents

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 18.12.2024, passed in W.P.(MD) No.16204 of 2024, on the file of this Court.

For Appellant : Mr.Veera Kathiravan
Additional Advocate General
assisted by Mr.K.Ramaiah

For Respondents : Mr.S.P.Maharajan
Special Government Pleader for R1
Mr.R.V.Rajkumar
for Mr.H.Mahamed Hussain for R2



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W.A.(MD) No.1076 of 2025:

The Management
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
No.27, Railway Station New Road
Kumbakonam-612 001

... Appellant

-vs-

1.The Assistant Commissioner of
Labour (Enforcement)
Thanjavur, Thanjavur District

2.S.Paramasivam

... Respondents

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 18.12.2024, passed in W.P.(MD) No.18762 of 2024, on the file of this Court.

For Appellant : Mr.Veera Kathiravan
Additional Advocate General
assisted by Mr.K.Ramaiah

For Respondents : Mr.S.P.Maharajan
Special Government Pleader for R1
Mr.R.V.Rajkumar
for Mr.H.Mahamed Hussain for R2



W.A.(MD) No.442 of 2025 etc. batch

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W.A.(MD) No.1077 of 2025:

The Management
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
No.27, Railway Station New Road
Kumbakonam-612 001

... Appellant

-vs-

1.The Assistant Commissioner of
Labour (Enforcement)
Thanjavur, Thanjavur District

2.A.S.Ganesan

... Respondents

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 18.12.2024, passed in W.P.(MD) No.18936 of 2024, on the file of this Court.

For Appellant : Mr.Veera Kathiravan
Additional Advocate General
assisted by Mr.K.Ramaiah

For Respondents : Mr.S.P.Maharajan
Special Government Pleader for R1
Mr.R.V.Rajkumar
for Mr.H.Mahamed Hussain for R2



W.A.(MD) No.442 of 2025 etc. batch

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W.A.(MD) No.1078 of 2025:

The Management
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
No.27, Railway Station New Road
Kumbakonam-612 001

... Appellant

-vs-

1.The Assistant Commissioner of
Labour (Enforcement)
Thanjavur, Thanjavur District

2.D.Sivasankaran

... Respondents

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 18.12.2024, passed in W.P.(MD) No.16579 of 2024, on the file of this Court.

For Appellant : Mr.Veera Kathiravan
Additional Advocate General
assisted by Mr.K.Ramaiah

For Respondents : Mr.S.P.Maharajan
Special Government Pleader for R1
Mr.R.V.Rajkumar
for Mr.H.Mahamed Hussain for R2



W.A.(MD) No.442 of 2025 etc. batch

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W.A.(MD) No.2143 of 2025:

The Management
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
No.27, Railway Station New Road
Kumbakonam-612 001

... Appellant

-vs-

1.The Assistant Commissioner of
Labour (Enforcement)
Thanjavur, Thanjavur District

2.P.Ragu

... Respondents

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 18.10.2024, passed in W.P.(MD) No.24172 of 2024, on the file of this Court.

For Appellant : Mr.Veera Kathiravan
Additional Advocate General
assisted by Mr.K.Ramaiah

For Respondents : Mr.S.P.Maharajan
Special Government Pleader for R1
Mr.R.V.Rajkumar
for Mr.H.Mahamed Hussain for R2



W.A.(MD) No.442 of 2025 etc. batch

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W.A.(MD) No.2147 of 2025:

The Management
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
No.27, Railway Station New Road
Kumbakonam-612 001

... Appellant

-vs-

1.The Assistant Commissioner of
Labour (Enforcement)
Thanjavur, Thanjavur District

2.B.Baskar

... Respondents

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 18.12.2024, passed in W.P.(MD) No.17327 of 2024, on the file of this Court.

For Appellant : Mr.Veera Kathiravan
Additional Advocate General
assisted by Mr.K.Ramaiah

For Respondents : Mr.S.P.Maharajan
Special Government Pleader for R1
Mr.R.V.Rajkumar
for Mr.H.Mahamed Hussain for R2



W.A.(MD) No.442 of 2025 etc. batch

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W.A.(MD) No.2148 of 2025:

The Management
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
No.27, Railway Station New Road
Kumbakonam-612 001

... Appellant

-vs-

1.The Assistant Commissioner of
Labour (Enforcement)
Thanjavur, Thanjavur District

2.R.Senthil Kumar

... Respondents

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 18.12.2024, passed in W.P.(MD) No.18869 of 2024, on the file of this Court.

For Appellant : Mr.Veera Kathiravan
Additional Advocate General
assisted by Mr.K.Ramaiah

For Respondents : Mr.S.P.Maharajan
Special Government Pleader for R1
Mr.R.V.Rajkumar
for Mr.H.Mahamed Hussain for R2



W.A.(MD) No.442 of 2025 etc. batch

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W.A.(MD) No.2149 of 2025:

The Management
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
No.27, Railway Station New Road
Kumbakonam-612 001

... Appellant

-vs-

1.The Assistant Commissioner of
Labour (Enforcement)
Thanjavur, Thanjavur District

2.P.Ramachandran

... Respondents

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 18.12.2024, passed in W.P.(MD) No.17444 of 2024, on the file of this Court.

For Appellant : Mr.Veera Kathiravan
Additional Advocate General
assisted by Mr.K.Ramaiah

For Respondents : Mr.S.P.Maharajan
Special Government Pleader for R1
Mr.R.V.Rajkumar
for Mr.H.Mahamed Hussain for R2



W.A.(MD) No.442 of 2025 etc. batch

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W.A.(MD) No.2150 of 2025:

The Management
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
No.27, Railway Station New Road
Kumbakonam-612 001

... Appellant

-vs-

1.The Assistant Commissioner of
Labour (Enforcement)
Thanjavur, Thanjavur District

2.G.Sekar

... Respondents

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 18.12.2024, passed in W.P.(MD) No.18875 of 2024, on the file of this Court.

For Appellant : Mr.Veera Kathiravan
Additional Advocate General
assisted by Mr.K.Ramaiah

For Respondents : Mr.S.P.Maharajan
Special Government Pleader for R1
Mr.R.V.Rajkumar
for Mr.H.Mahamed Hussain for R2



W.A.(MD) No.442 of 2025 etc. batch

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W.A.(MD) No.2151 of 2025:

The Management
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
No.27, Railway Station New Road
Kumbakonam-612 001

... Appellant

-vs-

1.The Assistant Commissioner of
Labour (Enforcement)
Thanjavur, Thanjavur District

2.N.Sundararaj

... Respondents

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 18.12.2024, passed in W.P.(MD) No.18911 of 2024, on the file of this Court.

For Appellant : Mr.Veera Kathiravan
Additional Advocate General
assisted by Mr.K.Ramaiah

For Respondents : Mr.S.P.Maharajan
Special Government Pleader for R1
Mr.R.V.Rajkumar
for Mr.H.Mahamed Hussain for R2



W.A.(MD) No.442 of 2025 etc. batch

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W.A.(MD) No.2152 of 2025:

The Management
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
No.27, Railway Station New Road
Kumbakonam-612 001

... Appellant

-vs-

1.The Assistant Commissioner of
Labour (Enforcement)
Thanjavur, Thanjavur District

2.S.Sundar

... Respondents

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 18.12.2024, passed in W.P.(MD) No.16429 of 2024, on the file of this Court.

For Appellant : Mr.Veera Kathiravan
Additional Advocate General
assisted by Mr.K.Ramaiah

For Respondents : Mr.S.P.Maharajan
Special Government Pleader for R1
Mr.R.V.Rajkumar
for Mr.H.Mahamed Hussain for R2



W.A.(MD) No.442 of 2025 etc. batch

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W.A.(MD) No.2153 of 2025:

The Management
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
No.27, Railway Station New Road
Kumbakonam-612 001

... Appellant

-vs-

1.The Assistant Commissioner of
Labour (Enforcement)
Thanjavur, Thanjavur District

2.L.Ravisankar

... Respondents

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 18.12.2024, passed in W.P.(MD) No.17611 of 2024, on the file of this Court.

For Appellant : Mr.Veera Kathiravan
Additional Advocate General
assisted by Mr.K.Ramaiah

For Respondents : Mr.S.P.Maharajan
Special Government Pleader for R1
Mr.R.V.Rajkumar
for Mr.H.Mahamed Hussain for R2



W.A.(MD) No.442 of 2025 etc. batch

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W.A.(MD) No.2154 of 2025:

The Management
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
No.27, Railway Station New Road
Kumbakonam-612 001

... Appellant

-vs-

1.The Assistant Commissioner of
Labour (Enforcement)
Thanjavur, Thanjavur District

2.R.Vijaya Kumar

... Respondents

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 18.12.2024, passed in W.P.(MD) No.17785 of 2024, on the file of this Court.

For Appellant : Mr.Veera Kathiravan
Additional Advocate General
assisted by Mr.K.Ramaiah

For Respondents : Mr.S.P.Maharajan
Special Government Pleader for R1
Mr.R.V.Rajkumar
for Mr.H.Mahamed Hussain for R2



W.A.(MD) No.442 of 2025 etc. batch

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W.A.(MD) No.2155 of 2025:

The Management
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
No.27, Railway Station New Road
Kumbakonam-612 001

... Appellant

-vs-

1.The Assistant Commissioner of
Labour (Enforcement)
Thanjavur, Thanjavur District

2.S.Sivasubramanian

... Respondents

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 18.12.2024, passed in W.P.(MD) No.16225 of 2024, on the file of this Court.

For Appellant : Mr.Veera Kathiravan
Additional Advocate General
assisted by Mr.K.Ramaiah

For Respondents : Mr.S.P.Maharajan
Special Government Pleader for R1
Mr.R.V.Rajkumar
for Mr.H.Mahamed Hussain for R2



W.A.(MD) No.442 of 2025 etc. batch

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W.A.(MD) No.2156 of 2025:

The Management
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
No.27, Railway Station New Road
Kumbakonam-612 001

... Appellant

-vs-

1.The Assistant Commissioner of
Labour (Enforcement)
Thanjavur, Thanjavur District

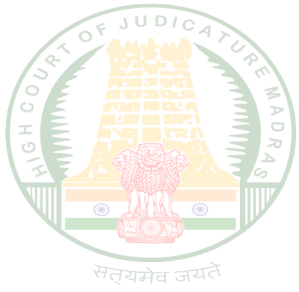
2.A.Sakthivel

... Respondents

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 18.12.2024, passed in W.P.(MD) No.17733 of 2024, on the file of this Court.

For Appellant : Mr.Veera Kathiravan
Additional Advocate General
assisted by Mr.K.Ramaiah

For Respondents : Mr.S.P.Maharajan
Special Government Pleader for R1
Mr.R.V.Rajkumar
for Mr.H.Mahamed Hussain for R2



W.A.(MD) No.442 of 2025 etc. batch

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W.A.(MD) No.2157 of 2025:

The Management
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
No.27, Railway Station New Road
Kumbakonam-612 001

... Appellant

-vs-

1.The Assistant Commissioner of
Labour (Enforcement)
Thanjavur, Thanjavur District

2.G.Rajasekaran

... Respondents

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 18.12.2024, passed in W.P.(MD) No.26965 of 2024, on the file of this Court.

For Appellant : Mr.Veera Kathiravan
Additional Advocate General
assisted by Mr.K.Ramaiah

For Respondents : Mr.S.P.Maharajan
Special Government Pleader for R1
Mr.R.V.Rajkumar
for Mr.H.Mahamed Hussain for R2



W.A.(MD) No.442 of 2025 etc. batch

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W.A.(MD) No.2158 of 2025:

The Management
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
No.27, Railway Station New Road
Kumbakonam-612 001

... Appellant

-vs-

1.The Assistant Commissioner of
Labour (Enforcement)
Thanjavur, Thanjavur District

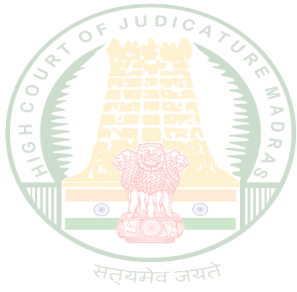
2.K.Kumar

... Respondents

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 18.12.2024, passed in W.P.(MD) No.16187 of 2024, on the file of this Court.

For Appellant : Mr.Veera Kathiravan
Additional Advocate General
assisted by Mr.K.Ramaiah

For Respondents : Mr.S.P.Maharajan
Special Government Pleader for R1
Mr.R.V.Rajkumar
for Mr.H.Mahamed Hussain for R2



W.A.(MD) No.442 of 2025 etc. batch

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W.A.(MD) No.2159 of 2025:

The Management
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
No.27, Railway Station New Road
Kumbakonam-612 001

... Appellant

-vs-

1.The Assistant Commissioner of
Labour (Enforcement)
Thanjavur, Thanjavur District

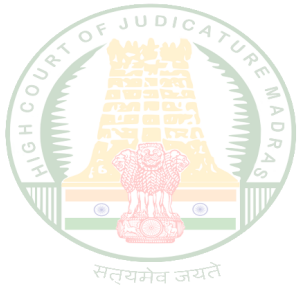
2.S.Natarajan

... Respondents

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 18.12.2024, passed in W.P.(MD) No.17760 of 2024, on the file of this Court.

For Appellant : Mr.Veera Kathiravan
Additional Advocate General
assisted by Mr.K.Ramaiah

For Respondents : Mr.S.P.Maharajan
Special Government Pleader for R1
Mr.R.V.Rajkumar
for Mr.H.Mahamed Hussain for R2



W.A.(MD) No.442 of 2025 etc. batch

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W.A.(MD) No.2160 of 2025:

The Management
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
No.27, Railway Station New Road
Kumbakonam-612 001

... Appellant

-vs-

1.The Assistant Commissioner of
Labour (Enforcement)
Thanjavur, Thanjavur District

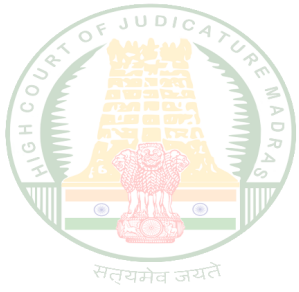
2.R.Udhaya Kumar

... Respondents

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 18.12.2024, passed in W.P.(MD) No.16199 of 2024, on the file of this Court.

For Appellant : Mr.Veera Kathiravan
Additional Advocate General
assisted by Mr.K.Ramaiah

For Respondents : Mr.S.P.Maharajan
Special Government Pleader for R1
Mr.R.V.Rajkumar
for Mr.H.Mahamed Hussain for R2



W.A.(MD) No.442 of 2025 etc. batch

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W.A.(MD) No.2161 of 2025:

The Management
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
No.27, Railway Station New Road
Kumbakonam-612 001

... Appellant

-vs-

1.The Assistant Commissioner of
Labour (Enforcement)
Thanjavur, Thanjavur District

2.G.Pandian

... Respondents

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 18.12.2024, passed in W.P.(MD) No.26083 of 2024, on the file of this Court.

For Appellant : Mr.Veera Kathiravan
Additional Advocate General
assisted by Mr.K.Ramaiah

For Respondents : Mr.S.P.Maharajan
Special Government Pleader for R1
Mr.R.V.Rajkumar
for Mr.H.Mahamed Hussain for R2



W.A.(MD) No.442 of 2025 etc. batch

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W.A.(MD) No.2162 of 2025:

The Management
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
No.27, Railway Station New Road
Kumbakonam-612 001

... Appellant

-vs-

1.The Assistant Commissioner of
Labour (Enforcement)
Thanjavur, Thanjavur District

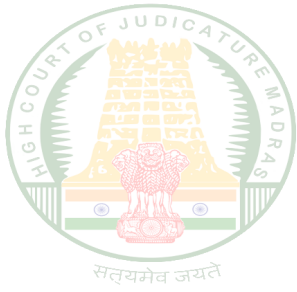
2.K.Govindarajan

... Respondents

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 18.12.2024, passed in W.P.(MD) No.15926 of 2024, on the file of this Court.

For Appellant : Mr.Veera Kathiravan
Additional Advocate General
assisted by Mr.K.Ramaiah

For Respondents : Mr.S.P.Maharajan
Special Government Pleader for R1
Mr.R.V.Rajkumar
for Mr.H.Mahamed Hussain for R2



W.A.(MD) No.442 of 2025 etc. batch

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W.A.(MD) No.2163 of 2025:

The Management
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
No.27, Railway Station New Road
Kumbakonam-612 001

... Appellant

-vs-

1.The Assistant Commissioner of
Labour (Enforcement)
Thanjavur, Thanjavur District

2.M.Thiyagarajan

... Respondents

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 18.12.2024, passed in W.P.(MD) No.25769 of 2024, on the file of this Court.

For Appellant : Mr.Veera Kathiravan
Additional Advocate General
assisted by Mr.K.Ramaiah

For Respondents : Mr.S.P.Maharajan
Special Government Pleader for R1
Mr.R.V.Rajkumar
for Mr.H.Mahamed Hussain for R2



W.A.(MD) No.442 of 2025 etc. batch

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W.A.(MD) No.2164 of 2025:

The Management
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
No.27, Railway Station New Road
Kumbakonam-612 001

... Appellant

-vs-

1.The Assistant Commissioner of
Labour (Enforcement)
Thanjavur, Thanjavur District

2.D.Manimaran

... Respondents

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 18.12.2024, passed in W.P.(MD) No.17593 of 2024, on the file of this Court.

For Appellant : Mr.Veera Kathiravan
Additional Advocate General
assisted by Mr.K.Ramaiah

For Respondents : Mr.S.P.Maharajan
Special Government Pleader for R1
Mr.R.V.Rajkumar
for Mr.H.Mahamed Hussain for R2



W.A.(MD) No.442 of 2025 etc. batch

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W.A.(MD) No.2165 of 2025:

The Management
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
No.27, Railway Station New Road
Kumbakonam-612 001

... Appellant

-vs-

1.The Assistant Commissioner of
Labour (Enforcement)
Thanjavur, Thanjavur District

2.A.Sadasivam

... Respondents

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 04.02.2025, passed in W.P.(MD) No.3283 of 2025, on the file of this Court.

For Appellant : Mr.Veera Kathiravan
Additional Advocate General
assisted by Mr.K.Ramaiah

For Respondents : Mr.S.P.Maharajan
Special Government Pleader for R1
Mr.R.V.Rajkumar
for Mr.H.Mahamed Hussain for R2



W.A.(MD) No.442 of 2025 etc. batch

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W.A.(MD) No.2166 of 2025:

The Management
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
No.27, Railway Station New Road
Kumbakonam-612 001

... Appellant

-vs-

1.The Assistant Commissioner of
Labour (Enforcement)
Thanjavur, Thanjavur District

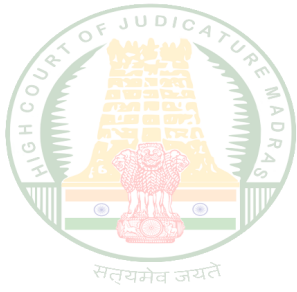
2.S.Sampath

... Respondents

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 21.03.2025, passed in W.P.(MD) No.19043 of 2024, on the file of this Court.

For Appellant : Mr.Veera Kathiravan
Additional Advocate General
assisted by Mr.K.Ramaiah

For Respondents : Mr.S.P.Maharajan
Special Government Pleader for R1
Mr.R.V.Rajkumar
for Mr.H.Mahamed Hussain for R2



W.A.(MD) No.442 of 2025 etc. batch

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W.A.(MD) No.2167 of 2025:

The Management
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
No.27, Railway Station New Road
Kumbakonam-612 001

... Appellant

-vs-

1.The Assistant Commissioner of
Labour (Enforcement)
Thanjavur, Thanjavur District

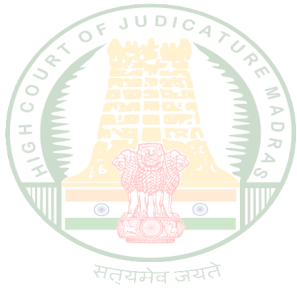
2.E.Arulgnanaprakasam

... Respondents

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 18.12.2024, passed in W.P.(MD) No.26233 of 2024, on the file of this Court.

For Appellant : Mr.Veera Kathiravan
Additional Advocate General
assisted by Mr.K.Ramaiah

For Respondents : Mr.S.P.Maharajan
Special Government Pleader for R1
Mr.R.V.Rajkumar
for Mr.H.Mahamed Hussain for R2



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W.A.(MD) No.2370 of 2025:

The Management
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
No.27, Railway Station New Road
Kumbakonam-612 001

... Appellant

-vs-

1.The Assistant Commissioner of
Labour (Enforcement)
Thanjavur, Thanjavur District

2.T.Mohan

... Respondents

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 18.10.2024, passed in W.P.(MD) No.24295 of 2024, on the file of this Court.

For Appellant : Mr.Veera Kathiravan
Additional Advocate General
assisted by Mr.K.Ramaiah

For Respondents : Mr.S.P.Maharajan
Special Government Pleader for R1
Mr.R.V.Rajkumar
for Mr.H.Mahamed Hussain for R2



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COMMON JUDGMENT

[Judgment of the Court was made by S.M.SUBRAMANIAM, J.]

The present intra court appeals have been instituted challenging the writ orders passed in the writ petitions on different dates.

2. Since the issues to be considered are common, these writ appeals have been tagged together, heard together and are being disposed of by this common order.

3. The facts, which all are not disputed between the parties to the *lis* on hand, are that the respondent – workmen were initially engaged on daily wage basis in the posts of Driver and Conductor in Tamil Nadu State Transport Corporation between 2000 and 2002. The Government of Tamil Nadu imposed a ban on the public employments from 2001 to 2006. In order to mitigate the circumstances and to provide public services, employees were engaged on daily wage basis to operate the Transport Corporation buses across the State of Tamil Nadu. Since the ban was in force till the year 2006, these employees were allowed to continue on consolidated pay.



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4. Admittedly, a 12(3) settlement had been entered into between the Trade Unions and the Management of the Transport Corporations on 31.08.2005. The terms and conditions of the 12(3) settlement were agreed between the parties. Consequently, all the daily wage employees engaged on consolidated pay were regularized and were brought under the regular establishment in the regular time scale of pay. The benefits of regularization were granted to those employees pursuant to the terms agreed in the 12(3) settlement entered into between the Management of the Transport Corporations and the workmen.

5. The benefits of regularization were granted in the year 2006 and all the employees were getting their regular time scale of pay and also the service benefits as applicable to the permanent employees in the State Transport Corporations.

6. After a lapse of about ten years, these employees approached the Assistant Commissioner of Labour seeking conferment of permanent status under the provisions of the Tamil Nadu Industrial Establishments (Conferment of Permanent Status to Workmen) Act, 1981 (in short, referred to



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as “the Permanent Status Act”). The authority concerned, under the said Act, granted the relief of permanent status to these employees from the date of their initial appointment as daily wage employees i.e., from the years 2000, 2001 and 2002 respectively. The said orders came to be challenged by the Management of the Transport Corporations by way of a writ proceedings. The learned Single Judge by the impugned orders dismissed the said writ petitions, which has resulted in filing of the present writ appeals.

7. Learned Additional Advocate General appearing on behalf of the appellant – Transport Corporations would mainly contend that the initial appointment of the respondent – workmen are on daily wage basis. They were regularized in the sanctioned post in the regular time scale of pay pursuant to the 12(3) settlement entered into between the Management of the Transport Corporations and the workmen on 31.08.2005. All the workmen agreed to the 12(3) settlement, joined in the permanent sanctioned post and were receiving all the service benefits till the year 2017 and for the first time, they preferred a petition under the Permanent Status Act claiming permanent status retrospectively with effect from the date on which they had completed 480 days of continuous service as daily wage employees.



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8. Learned Additional Advocate General would further submit that in the present case, the workmen having agreed to the 12(3) settlement, joined in the sanctioned post and were receiving time scale of pay for more than ten years, the petitions filed by them under the Permanent Status Act ought not to have been entertained by the authority concerned. The 12(3) settlement is binding on the parties by virtue of Section 18(3) of the Industrial Disputes Act, 1947. When the terms and conditions in the 12(3) settlement are binding on the parties and the respondent - workmen having accepted the regularization pursuant to the 12(3) settlement, they cannot claim retrospective regularization of services under the Permanent Status Act on completion of 480 days of continuous service.

9. Learned counsel appearing for the respondent – workmen would strenuously oppose by stating that Section 3 of the Permanent Status Act contemplates that notwithstanding anything contained in any law for the time being in force every workman who is in continuous service for a period of four hundred and eighty days in a period of twenty four calendar months in an industrial establishment shall be made permanent. Therefore, the benefits



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conferred under the Act cannot be taken away by way of a 12(3) settlement. The Act will prevail over the settlement. Thus, the benefit conferred under the Act can be claimed by the workmen at any point of time. Law of limitation will have no application. Thus, the competent authority under the Permanent Status Act has rightly granted the relief and the Writ Court has confirmed the same and thus, the present writ appeals are to be dismissed.

10. Learned counsel appearing for the respondent – workmen, relying on Explanation II to Section 3(2) of the Permanent Status Act would emphasize that for the purposes of Section 3, 'law' includes any award, agreement, settlement, instrument or contract of service, whether made before or after the commencement of the Permanent Status Act. Therefore, the *non obstante* clause contemplated under Section 3 of the Permanent Status Act would be applicable in respect of the settlement under Section 12(3) of the Industrial Disputes Act, 1947, and thus there is no impediment for the respondent – workmen to claim the benefit of permanent status from the date on which they had completed 480 days of continuous service. In support of the said contention, learned counsel for the respondent – workmen has relied on the following decisions:



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- (i) Unreported decision of the Honourable Supreme Court in the case of ***East India Coal Company Ltd., vs. Rameshwar and others***, C.A.Nos.256 to 267 of 1966, dated 08.08.1967;
- (ii) ***Metal Powder Company Ltd., Madras and another vs. State of Tamil Nadu and another***, reported in ***CDJ 1985 MHC 234***;
- (iii) ***State of Tamil Nadu and others vs. Nellai Cotton Mills Ltd., and others***, reported in ***(1990) 2 SCC 518***;
- (iv) ***Ajaib Singh vs. Sirhind Co-op. Mktg.-cum-Processing Service Society Ltd.***, reported in ***AIR 1999 SCC 1351***;
- (v) ***Oswal Agro Furane Ltd., vs. Oswal Agro Furane Workers Union***, reported in ***(2005) 3 SCC 224***;
- (vi) ***R.Lakshmi vs. Chief Engineer (Personnel), TNEB***, reported in ***(2012) 6 MLJ 480***;
- (vii) Unreported Judgment of this Court in the case of the ***Managing Director, Tamil Nadu State Transport***



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Corporation Ltd., vs. Shanmugam (deceased), in

W.A.Nos.2871 and 2872 of 2018, dated 30.09.2019;

(viii) **Management, Tamil Nadu State Transport Corporation (Madurai) Ltd., Madurai Bye Pass Road, Virudhunagar-001 vs. Labour Inspector, 137, Kantharapuram Street, Virudhunagar and another,** reported in **2020-II-LLJ-130 (Mad).**

11. Heard the learned counsels appearing for the respective parties to the *lis* on hand.

12. It is not in dispute between the parties that the respondent – employees were engaged as daily rated employees between 2000 and 2002. They were allowed to continue as daily rated employees during the ban period imposed by the Government of Tamil Nadu. The State Transport Corporations are wholly owned by the Government of Tamil Nadu. In verge of the ban period, a 12(3) settlement was entered into between the Management of the Transport Corporations and the workmen on 31.08.2005. Pursuant to the said 12(3) settlement, the services of all these daily rated employees were



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regularized in the sanctioned post in the regular time scale of pay. The employees accepted the terms of the 12(3) settlement and joined in the sanctioned post and availed the service benefits for about ten years. Suddenly, they filed petitions under the Permanent Status Act in the year 2017 claiming permanent status on completion of 480 days of continuous service till such time regularization was granted to them by the Management. Pertinently, these employees have neither challenged the 12(3) settlement nor questioned the validity of the orders of regularization issued to them in the year 2006. These employees having accepted the terms of the 12(3) settlement and served for about ten years, cannot turn around at one fine morning and file a petition under the Permanent Status Act claiming retrospective permanent status on completion of 480 days of continuous service till the date on which they were regularized in the sanctioned post. A person, who has slept over the right, cannot wake up at one fine morning and claim such benefits and in the ordinary circumstances, such claims are to be construed as stale.

13. With reference to the grounds raised by the respondent – employees, that Section 3 of the Permanent Status Act would be of assistance

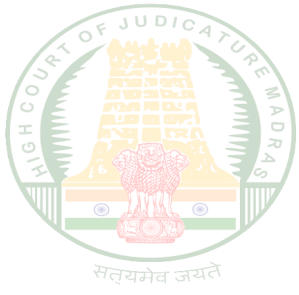


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to the respondent – employees to claim permanent status and the 12(3) settlement is not a bar for them for claiming retrospective permanent status, this Court is of the considered view that the petitions under the Permanent Status Act were filed after accepting the regularization in terms of the 12(3) settlement. Section 3 of the Permanent Status Act would have application in respect of the employees whose services were not made permanent. In the present case, the fact remains that the services of the respondent – employees were regularized from the year 2006 and after a lapse of about ten years, they are seeking retrospective conferment of permanent status only for the period till the date on which they were regularized, which is impermissible under law.

14. In any event, the claim set out by the respondent – employees after agreeing to the terms of the 12(3) settlement and after serving for more than ten years as permanent employees cannot be entertained. That apart, the 12(3) settlement is binding on the parties in view of Section 18(3) of the Industrial Disputes Act, 1947, and the said provision has not been considered in the decisions relied on by the learned counsel appearing for the respondent – employees. Filing of a petition under the Permanent Status Act is an afterthought decision taken by the respondent – employees and therefore, this



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Court is inclined to interfere with the impugned orders passed by the Writ Court.

15. In the result, these writ appeals are allowed and the impugned orders passed by the learned Single Judge are set aside. No costs. Consequently, connected miscellaneous petitions are closed.

[S.M.S., J.]

[G.A.M., J.]

20.08.2025

NCC : Yes / No

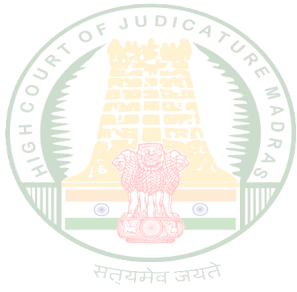
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Internet : Yes / No

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To:

The Assistant Commissioner of
Labour (Enforcement),
Thanjavur, Thanjavur District.



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S.M.SUBRAMANIAM, J.
and
G.ARUL MURUGAN, J.

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