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WA No.809 of 2025 etc., batch

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-02-2026

CORAM

**THE HONOURABLE MR JUSTICE S. M. SUBRAMANIAM
AND**

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

**WA Nos.809, 888, 815, 837, 838, 839, 840, 892 & 894 of 2025
AND**

**CMP NOS. 7001, 7005, 7100, 7099,7399, 7533, 7544, 7548, 7501, 7543, 7547,
7502, 7531, 7815, 7973, 7035 & 7037 OF 2025**

WA No. 809 of 2025

1. The Managing Director
TamilNadu Water Supply and Drainage
Board, No.31. Kamarajar Salai,
Chepauk, Chennai 600 005

2. The Executive Engineer
TamilNadu Water supply and Drainage
Board, Maintenance Division,
303, Public office Road, Velipalayam,
Nagapattinam.

Appellant(s)

Vs

1. The Assistant Commissioner of
Labour
Enforcing Authority under Tamil Nadu
Industrial Establishment
(Conferment of Permanent status of
Workmen) Act 1981, Thiruvarur.

2.G.Senthilmurugan
Electrical Superintendent,
S/o.Govindarajulu,



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12, Ramamadam North street,
Nagapattinam, Nagapattinam

3.T.Gnanavel
Turn cock (Valve Operator),
S/o.Thangavel,
South street, Ovalikudi, Mavoor Post,
Thiruvarur Taluk, Thiruvarur District

4.J.Manuneehi
Turn cock (Valve Operator),
S/o.Jeyaraman,
1/18,Nadu Street, Veppanthankudi,
Mavoor post, Thiruvarur District

5.S.Manimaran
Turn cock (Valve Operator),
S/o.Subramanian,
53, V.O.C. street, Keevalur,
Nagapattinam District

6.T.Manimaran
Turn cock (Valve operator),
S/o.Thaiyan, Arrangarai street, Eluppur,
Koothur post, Keevalur Taluk,
Nagapattinam District

7.A.Bharathinathan
Turn cock(Valve Operator),
S/o.Athithanathan, Attipadugai,
Thiruchankattankudi post,
Nagapattinam District.

8.G.Sankaraiah
Turn cock (Valve operator),
S/o.Ganesan,
1/123, Sri Ramarkoil Street,
Karuvelankadai, Anthanapettai post,
Nagapattinam District.



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9.D.Senthilkumar
Turn cock (Valve Operator),
s/o.Duraisamy, Jeyanthi Nagar,
Panaimedu, Sikkal post,
Nagapattinam District

10.K.Mahalakshmi
Turn cock(Valve Operator),
w/o.Karunanidhi,
2/6, Kittangi street, Keelakannapur,
Thirukkuvalai Taluk,
Nagapattinam District

11.K.Mathivanan
Turn cock(Valve Operator),
S/o.Kumarasamy,
No.4, Santhaipettai, Thevoor,
Kezhveloor Taluk,
Nagapattinam District

Respondent(s)

PRAYER

Writ Appeal filed under Clause 15 of the Letters Patent, praying to allow
the WA and set aside the order dt. 11.07.2024 in WP No.3310/2021.

For Appellant(s): Mr.S.Ravindran
Senior Counsel
for Ms.S Mekhala

For Respondent(s): Dr.S.Suriya
AGP for R1
Ms.N.Sivashankari
for M/s.Law Square
For R2, R3, R5, R6 And R9



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COMMON JUDGMENT

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(Judgment of the Court was made by S.M.Subramaniam J.)

The present intra Court Appeals under Clause 15 of Letters Patent have been instituted to assail the writ orders dated 11.07.2024 granting permanent status to employees serving in Tamil Nadu Water Supply and Drainage Board.

2.The respondents/employees claimed that they are engaged as contractual employees and served more than 240 or 480 days of service. Thus, they have filed applications before the Inspector of Labour under the provisions of the Tamil Nadu Industrial Establishment (Conferment of Permanent Status to Workmen), Act, 1981. The Inspector of Labour through summary procedures granted the relief of permanent status under the Act. The said proceedings came to be challenged by way of writ proceedings and the Writ Court has confirmed the said order mainly on the ground that the employees served 480 days of service in the TWAD Board Establishment, and therefore, they are entitled for conferment of Permanent status under the Act.

3.The issue mainly arises in these cases are that, whether the provisions of the Tamil Nadu Industrial Establishments (Conferment of Permanent Status to



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Workmen) Act would apply in respect of the employees or contract employees engaged by the TWAD Board Establishment to execute projects or for any other work?

4.TWAD Board is fully owned by the State Government and therefore, a “State” within the meaning of Article 12 of the Constitution of India. TWAD Board has been constituted by virtue of an enactment viz., Tamil Nadu Water Supply and Drainage Board Act, 1970. In exercise of the powers conferred under the Act, service regulations are notified by the Government in respect of the employees serving in Water Board. The service regulations are framed relating to recruitments, confirmation of services, promotion, seniority etc., and the said service Rules would apply in respect of the appointments made by the TWAD Board.

5.When the special enactment and the service regulations framed under the provisions of the Act are in force, the general law cannot be applied and the special enactment and the Regulations framed thereunder alone would prevail. Therefore, the employees seeking relief has to approach the competent authority or forum under the provisions of the Tamil Nadu Water Supply and Drainage



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Board Act or the Service Regulations framed thereunder by the Government of Tamil Nadu, since it is a Special law. The issues in this regard are no more *res integra* and in the case of the ***Executive Engineer, Tamil Nadu Water Supply and Drainage Board Vs. T.Kandhan and others made in WP.No.21648 of 2016 dated 22.09.2022 and WP.No.15377/2018 dated 17.10.2022 in the case of the Executive Engineer, Tamil Nadu Water Supply and Drainage Board Vs. Thangadurai and others***, this Court has elaborately considered the legal position involved in the matter of invoking the provisions of the Tamil Nadu Industrial Establishments (Conferment of Permanent Status to Workmen) Act, 1981. The learned Senior counsel appearing on behalf of the appellant would submit that the said judgment was not taken by way of an appeal and became final.

6.At the out set, the respondents were admittedly engaged as contract employees in the TWAD Board. Therefore, the provisions of conferment of permanent status Act would not apply, since it is a General law. If at all any grievance exist to them, they have to redress their grievance under the provisions of the Tamil Nadu Water Supply and Drainage Board Act or the Service Regulations framed thereunder by the Government, as adopted by the Board.



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7.In view of the above legal position, the writ order impugned dated 11.07.2024 made in WP.Nos.15694/2020, 27929, 3310, 3308/2021, 2320, 2307, 2510, 2516 & 4298 of 2022 are hereby set aside and the Writ Appeals are allowed. No costs. Consequently, connected CMPs are also closed.

(S.M.SUBRAMANIAM J.)(C.KUMARAPPAN J.)
17-02-2026

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

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Note:-Registry is directed to incorporate cause title for all the cases and issue order copy.

To

1.The Assistant Commissioner of
Labour
Enforcing Authority under TamilNadu
Industrial Establishment (Conferment
of Permanent status of Workmen)Act
1981, Thiruvavarur.



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