



**W.P(MD)No.22025 of 2022**

**WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 30.06.2026**

**CORAM:**

**THE HONOURABLE MR.JUSTICE M.DHANDAPANI**

**W.P(MD)No.22025 of 2022**

S.Sankarashwaran

... Petitioner(s)

vs.

1.The Secretary to Government,  
Government of Tamil Nadu,  
Labour and Employment Department,  
Fort St. George,  
Chennai – 600 009.

2.The Chairman (Administration),  
TANGEDCO (formerly Tamil Nadu Electricity Board),  
No. 800, Anna Salai,  
Chennai – 600 002.

3.The Superintending Engineer,  
Virudhunagar Electricity Distribution Circle,  
Tamil Nadu Electricity Board,  
Virudhunagar District.



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4.The Inspector of Labour / Industrial Adjudicator,  
Virudhunagar,  
Virudhunagar District.

... Respondent(s)

**PRAYER** : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records of the impugned Lr.No.0143/ADO/Adm.s/Adm4/JA/F.Court Case / 2022 dated 07.05.2022 passed by the 3rd respondent and quash the same and consequently direct the Respondents 1 to 3 to absorb the petitioner in the 3rd Respondent office.

|                |                                                     |
|----------------|-----------------------------------------------------|
| For Petitioner | : Mr.R. Murugappan                                  |
| For R2 & R3    | : Mr.G.Anand Gopalan<br>for M/s.T.S.Gopalan and Co. |
| For R1 & R4    | : Mr.M.Mahaboob Athiff, Counsel for State           |

### **ORDER**

This writ petition has been filed challenging the proceedings of the third respondent dated 07.05.2022, whereby the petitioner's claim for regularisation under the Tamil Nadu Industrial Establishments (Conferment of Permanent Status to Workmen) Act was rejected.



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2.The case of the petitioner is that he was engaged as a contract labourer. According to him, despite having rendered service for several years, his services were not regularised. Consequently, through his association, the petitioner filed a claim before the fourth respondent/Inspector of Labour, Virudhunagar, seeking conferment of permanent status on the ground that he had completed 480 days of continuous service within a period of 24 calendar months. The said claim was allowed by order dated 09.08.2004. Challenging the said order, the official respondents filed W.P. No.17366 of 2005 before this Court. By order dated 24.10.2008, this Court set aside the order passed by the fourth respondent. Thereafter, the petitioner filed W.P.(MD) No.20611 of 2014 seeking implementation of the earlier order passed by the fourth respondent. The said writ petition was dismissed, while granting liberty to the petitioner to submit a representation to the authorities. Pursuant thereto, the petitioner submitted a representation seeking regularisation in terms of the liberty granted by this Court. However, by proceedings dated 07.05.2022, the said request was rejected. Aggrieved by the said order, the present writ petition has been filed before this Court.



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3. The learned counsel appearing for the petitioner submitted that the fourth respondent had already passed an order granting conferment of permanent status in favour of the petitioner and that the respondents failed to extend the consequential benefits. According to the learned counsel, the impugned order rejecting the petitioner's claim is unsustainable in law. Hence, he prayed for appropriate relief.

4. Per contra, the learned counsel appearing for the respondents 2 and 3 submitted that the order granting conferment of permanent status had already been set aside by this Court in W.P.(MD) No.17366 of 2005 by order dated 24.10.2008. The petitioner did not challenge the said order by filing any appeal. Thereafter, the petitioner filed W.P. (MD) No.20611 of 2014, wherein this Court granted liberty to the petitioner to submit a representation seeking regularisation. Pursuant to the said order, the authorities considered the petitioner's representation on its merits and rejected the same by the impugned proceedings. Therefore, the impugned order does not warrant interference of this Court.



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5. Heard the learned counsel for the parties and perused the materials available on record.

6. Admittedly, the order granting conferment of permanent status was set aside by this Court in W.P. No.17366 of 2005 by order dated 24.10.2008. The petitioner has not challenged the said order before the appellate forum. Further, this Court is of the view that the issues raised in the present writ petition involve disputed questions of fact, which cannot be adjudicated in exercise of the jurisdiction under Article 226 of the Constitution of India. Such issues can be decided only by the competent Labour Court. Accordingly, the writ petition is dismissed, granting liberty to the petitioner to approach the competent Labour Court for appropriate relief, if so advised. No costs.

**30.06.2026**

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



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**M.DHANDAPANI,J.**

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**ORDER MADE IN  
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