



W.P(MD)No.23634 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.23634 of 2022

Theni District Spinning Mill Workers Union
Rep. by its District President
P.Selvaraj

... Petitioner(s)

vs.

1.The Management,
Anna Co-Operative Spinning Mills Ltd.,
Shanmugasundarapuram Village,
Andipatti Taluk,
Theni – 625 512.

2. The Joint Director,
Directorate of Industrial Safety and Health,
Dindigul.

... Respondent(s)

PRAYER : Writ Petition filed under Article 226 of the Constitution of India,
praying this Court to issue a Writ of Mandamus, to direct the 1st respondent to



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confer permanent status to 208 workers mentioned in the Annexure - I document issued in order No.B/3553/2021 dated 09.05.2022 passed by the 2nd respondent herein U/s.5 of the Tamil Nadu Industrial Establishments (Conferment of Permanent Status to Workmen) Act, 1981, within a stipulated time as fix by this Court.

For Petitioner : Mr.S.Bharathy Kannan

For R1 : Mr.C.Vakeeswaran

For R2 : Mr.M.Mahaboob Athiff, Counsel for State

ORDER

This writ petition has been filed seeking issuance of a Writ of Mandamus directing the first respondent to confer permanent status on the 208 workers mentioned in Annexure-I to the order in No. B/3553/2021 dated 09.05.2022 passed by the second respondent under Section 5 of the Tamil Nadu Industrial Establishments (Conferment of Permanent Status to Workmen) Act, 1981, within such time as may be stipulated by this Court.



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2. The petitioner Union filed a petition before the second respondent seeking conferment of permanent status on its members. By order dated 09.05.2022, the second respondent allowed the petition in favour of the petitioner Union. Seeking implementation of the said order, the present writ petition has been filed.

3. The learned counsel appearing for the petitioner submitted that this Court may issue a direction to the respondents, particularly the first respondent, to implement the order dated 09.05.2022 passed by the second respondent within a time frame to be fixed by this Court. .

4. Per contra, the learned counsel appearing for the first respondent submitted that the order dated 09.05.2022 passed by the second respondent was challenged before this Court in W.P.(MD) No. 24073 of 2022. The said writ petition came to be dismissed on 19.08.2024. Aggrieved by the same, the first respondent preferred W.A.(MD) No. 2439 of 2024, in which the Division Bench



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granted an order of interim stay. In view of the pendency of the said writ appeal, no direction can be issued to implement the order dated 09.05.2022.

5. In response, the learned counsel appearing for the petitioner submitted that this Court had already granted the main relief by way of an interim order, which was subsequently challenged before the Division Bench of this Court.

6. In view of the above, this writ petition is closed by granting liberty to both the petitioner and the respondents to canvass all their contentions before the Division Bench in the pending writ appeal. No costs. Consequently, the connected miscellaneous petition is closed.

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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