



WEB COPY

WP No. 24968 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-07-2025

CORAM

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

WP No. 24968 of 2025

and

W.M.P.Nos.28128, 28129 and 28130 of 2025

1. YUVARAJ

S/o. Arjunan, No.7/270c, 3rdstreet,
Anna Nagar,Kulithalai, Karur District
639104 and 7 Others

2. TAMILSELVAN

S/o.Vaithiyanathan, No.4/27, Valluvar
Street., Kalangani, Namakkal District
637014

3.Ilayaraja,

S/o. Muthusamy, No.6/193,
Chennakkalpudur, Manapalli P.O., Via
Palapatti, Namakkal District

4. SAKTHIVEL

S/o. Sangili, No.6, Pandian Street, Opp.
To S.B.K.Girls Hr. Sec. School,
Aruppukottai.

5.Chelladurai,

S/o. Pandian, No.48/75, 2ndfloor,
K.P.Kovil Street, Saidapet, Chennai
600015.



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6.S.Balaji,

S/o. Selvam, No.148, Lrs

Palayam,tenkasi 627811

7.Parthasarathy,

S/o. Ramachandran, No.6, Pandian

Street, Opp Sbk Girls Hr. Sec. School,

Aruppukottai 626 101

8.Seiyadh Udhuman,

S/o. Sulaiman, No.889, Tamil Nadu

Housing Board Colony,

Velachery,chennai 600042

Petitioner(s)

Vs

1. The Secretary,

Labour Welfare And Skill Development

Department, Secretariat, Fort

St.George, Chennai - 600006.

2.The Commissioner Of Labour

O/o. The Commissioner Of Labour,

Dms Compound, Chennai 600 006

3.B.Nagendran, Upgraded

Superintendent

O/o. The Assistant Commissioner Of

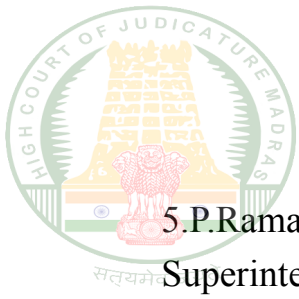
Labour, Enforcement, Theni.

4.J.Thamaraiselvan, Upgraded

Superintendent

O/o. The Assistant Commissioner Of

Labour, Conciliation - 1, Vellore.



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5.P.Ramakrishnan,upgraded
Superintendent
O/o. The Deputy Commissioner Of
Labour, Gratuity, Erode.

6.S.Albert Wilson,upgraded
Superintendent,
O/o. The Commissioner Of Labour,
Chennai

7.R.Sudhakar,upgraded Superintendent
O/o. The Assistant Commissioner Of
Labour, Enforcement, Karur.

8.J.Yovan,upgraded Superintendent
O/o The Commissioner Of Labour,
Chennai

9.K.Sathiyapriya,upgraded
Superintendent,
O/o. The Assistant Commissioner Of
Labour, Enforcement, Tiruppur.

10.T.Muthaiyan,upgraded
Superintendent
O/o. The Assistant Commissioner Of
Labour, Enforcement, Kancheepuram

11.S.V. Radhakrishnanupgraded
Superintendent
O/o. The Commissioner Of Labour,
Chennai

12.B.Ramakrishnan,upgraded
Superintendent



O/o. The Deputy Director Of Industrial
Safety And Health-v, Sidco Industrial
Estate, Guindy, Chennai.

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13.K.Saravanan,upgraded
Superintendent

O/o. The Assistant Commissioner Of
Labour, Enforcement, Madurai.

14.S.Govindarajan,upgraded
Superintendent,
O/o. The Assistant Commissioner Of
Labour, Enforcement, Trichy

15.K.Baskaran,upgraded
Superintendent
O/o. The Commissioner Of Labour,
Chennai.

16.R.Yogesh Kumar,upgraded
Superintendent
O/o. The Assistant Commissioner Of
Labour, Conciliation, Thanjavur

17.M.Selvaraj,upgraded Superintendent
O/o. Joint Director Of Industrial Safety
And Health, Thanjavur.

18.V.G.Selvakumar,upgraded
Superintendent
O/o. Director Of Industrial Safety And
Health, Sidco Industrial Estate,
Guindy, Chennai.

19.P.Rajasekharan,upgraded
Superintendent



O/o. The Assistant Commissioner Of
Labour, Enforcement, Perambalur.

WEB 20.P.Nagarajan,upgraded

Superintendent

O/o. The Commissioner Of Labour,
Chennai.

21.G.Raghu,upgraded Superintendent

O/o. The Assistant Commissioner Of
Labour, Plantataion, Yercaud.

22.A.V.S.Saravana Kumar,upgraded

Superintendent

O/o. The Assistant Commissioner Of
Labour, Enforcement - 2, Chennai.

23.P.Karthik,upgraded Superintendent,

O/o. Additional Director Of Industrial
Safety And Health, Sidco Industrial
Estate, Guindy, Chennai.

24.V.Selvakumar,upgraded

Superintendent

O/o. The Assistant Commissioner Of
Labour, Plantation, Bathlagundu

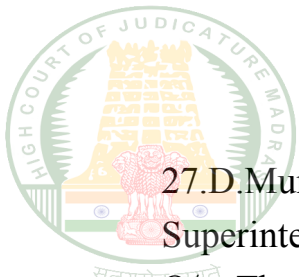
25.R.Ramamurthy,upgraded

Superintendent

O/o. The Commissioner Of Labour,
Chennai.

26.S.Senthil,upgraded Superintendent

O/o. The Assistant Commissioner Of
Labour, Enforcement, Tiruvarur.



27.D.Murugadoss,upgraded
Superintendent,

O/o. The Tamilnadu Academy Of
Construction, Chennai

28.R.J.Jonrathinaraj, Assistant,
O/o.Deputy Director Of Industrial
Safety And Health-ii, District
Collectorate Complex 1stfloor,
Virudhunagar.

29.N.Muraleeswaran,upgraded
Superintendent
O/o. The Assistant Commissioner Of
Labour, Enforcement, Dindigul.

30.K.Suryakumar,upgraded
Superintendent
O/o. The Assistant Commissioner Of
Labour, Conciliation, Madurai.1

31.T.Sakthivel,upgraded Superintendent
O/o.Joint Director Of Industrial Safety
And Health -ii, Coimbatore.

32.S.Sundaramurthy,upgraded
Superintendent
O/o. The Joint Commissioner Of
Labour, Vellore.

33.S.Prakasavel,upgraded
Superintendent
O/o. The Joint Commissioner Of
Labour, Trichy



34.K.Appasamy,upgraded
Superintendent

O/o. The Assistant Commissioner Of
Labour, Conciliation Ii, Chennai.

Respondent(s)

PRAYER

calling for the records culminating in the impugned order dated 21.05.2025 made in letter E4/16662/2024 of the second respondent and quash the same and consequently to direct the second respondent to promote the petitioners as per merit cum seniority list drawn under Section 41(2) of the Tamil Nadu Government servants (Condition of Service) Act, 2016 to the proposed post of Assistant Inspectors of Labour, Statistical Inspectors, Stamping Inspector as per rule 5(3) of the Special rules for the Tamil Nadu Labour Subordinate services, for the year 2024-2025 in terms of the letter no.No.9788/E2/2022-3 dated 07.10.2022 of the first respondent

For Petitioner(s): M/s. G. Thilagavathy, Senior
Counsel For-
m/s.K.Kharikharadas N.Hari
Hara Sudhan F.Prameena
S.Vishva

For Respondent(s): Mr.R.U.Dinesh Raj Kumar, Agp.
For R1 and r2

ORDER

When the matter was listed on 09.07.2025, it was contention of the learned Senior Counsel for Petitioners that the impugned order dated 21.05.2025 was issued in contrary to the clarification given by the Secretary, Labour Department. In view of the said submission, the following order was



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“Mr.G.Nanmaran, the learned Special Government Pleader takes notice for the first and second respondents.

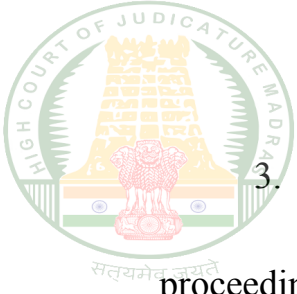
2. Notice to the respondents 3 to 34 returnable by 14.07.2025. Private notice is also permitted.

3. The learned Senior Counsel appearing for the petitioner is pressing for an interim order, as the present impugned order is an utter violation of the clarification issued by the Secretary, Labour Department.

4. In this regard, the learned Special Government Pleader seeks time to file counter affidavit.

5. Post the matter on 14.07.2025 in admission list.”

2. But unfortunately, the instant Writ Petition could not be listed on 14.07.2025. Taking advantage of such circumstances, the second respondent has issued an order in E4/16662/2024-2 dated 14.07.2025 for recruitment by transfer, but the transferees are yet to join in their new post.



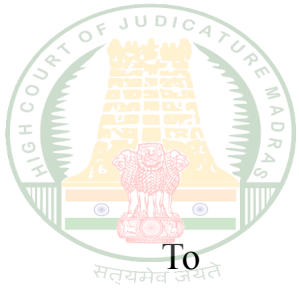
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3. This Court is of the view that the act of the second respondent, in proceeding further in the matter, when the matter was sub-judice before this Court, that too when a short adjournment has given at the request of the first and second respondents for filing counter affidavit, issuing an order to neutralize in the prayer of the petitioners is not appreciable. Hence, this Court finds justification to stay the order of recruitment by transfer. Accordingly, there shall be an order of interim stay of order in E4/16662/2024-2 dated 14.07.2025 till 30.07.2025.

4. Post the matter on 30.07.2025 for filing counter-affidavit.

15-07-2025

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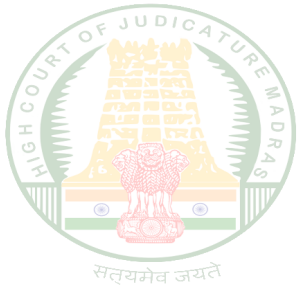


To

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1. The Secretary,
Labour Welfare And Skill Development
Department, Secretariat, Fort
St. George, Chennai - 600006.

2. The Commissioner Of Labour
O/o. The Commissioner Of Labour,
Dms Compound, Chennai 600 006.



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C.KUMARAPPAN J.
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