

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 03.08.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.23418/2015

Duraiyan @ Duraisamy

... Petitioner

Versus

1. The Secretary to Government  
Government of Tamilnadu  
Highways Department  
Fort ST George, Chennai 600009.
2. The Director General and Chief Engineer  
Highways, Chepauk, chennai.
3. The Divisional Engineer  
Highways, Erode Division,  
Erode.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, to direct the 1<sup>st</sup> respondent to reinstate the petitioner herein in service so as to enable the regularization of the petitioner's service and regularise the service of the petitioner with effect from the date of completion of 3 years of service in the light of the orders issued in Govt.Lr.No.4507/HM2/2009-26 dated 02.06.2011 of the 1<sup>st</sup> respondent and Memo No.604/Nir.4[3]/2009 dated 03.06.2011 of the 2<sup>nd</sup> respondent and considering the petitioner's representation dated 20.08.2014.

For Petitioner : Mr.G.Punniyakotti

For RR 1 to 3 : Mr.R.Vijayakumar,  
Additional Government Pleader

O R D E R

By consent, the writ petition is taken up for final disposal.

2.The petitioner would state that he joined the services as a Nominal Muster Roll Worker [NMR] on daily wage basis on 02.01.1989

and for 7 years, he worked in that capacity and since the petitioner has rendered continued and uninterrupted services with artificial breaks, he is entitled to get his services regularised and absorbed in the regular establishment. It is the claim of the petitioner that Tr.Kaliyappan and 26 others who are similarly placed, had moved this Court and they were granted the relief in the light of the orders passed by this Court which culminated into a letter dated 02.06.2011 of the 1<sup>st</sup> respondent as well as proceedings of the 2<sup>nd</sup> respondent dated 03.06.2011. The petitioner claiming similar benefits, has submitted a representation dated 20.08.2014 to the respondents and since, he has not been favoured with any response, he came forward to file this writ petition.

3.Heard the submissions of the learned counsel for the petitioner and Mr.R.Vijayakumar, learned Additional Government Pleader who accepts notice on behalf of the respondents.

4.Though the petitioner has prayed for a larger relief, this Court, taking into consideration the above facts and circumstances and without going into the merits of the petitioner's representation, permits the petitioner to submit one more representation to the respondents 1 to 3 by enclosing a copy of this order as well as the copy of his earlier representation dated 20.08.2014 within a period of two weeks from the date of receipt of a copy of this order and the respondents 2 and 3, on receipt of the same, are directed to consider and dispose of the same in accordance with law within a period of eight weeks thereafter and communicate the decision taken, to the petitioner herein.

5.The writ petition is disposed of accordingly. No costs.

Sd/-  
Assistant Registrar(J)

//True Copy// सत्यमेव जयते

Sub Assistant Registrar

AP

To

1. The Secretary to Government  
Government of Tamilnadu  
Highways Department  
Fort ST George,  
Chennai 600009.

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2. The Director General and Chief Engineer  
Highways,  
Chepauk, Chennai.

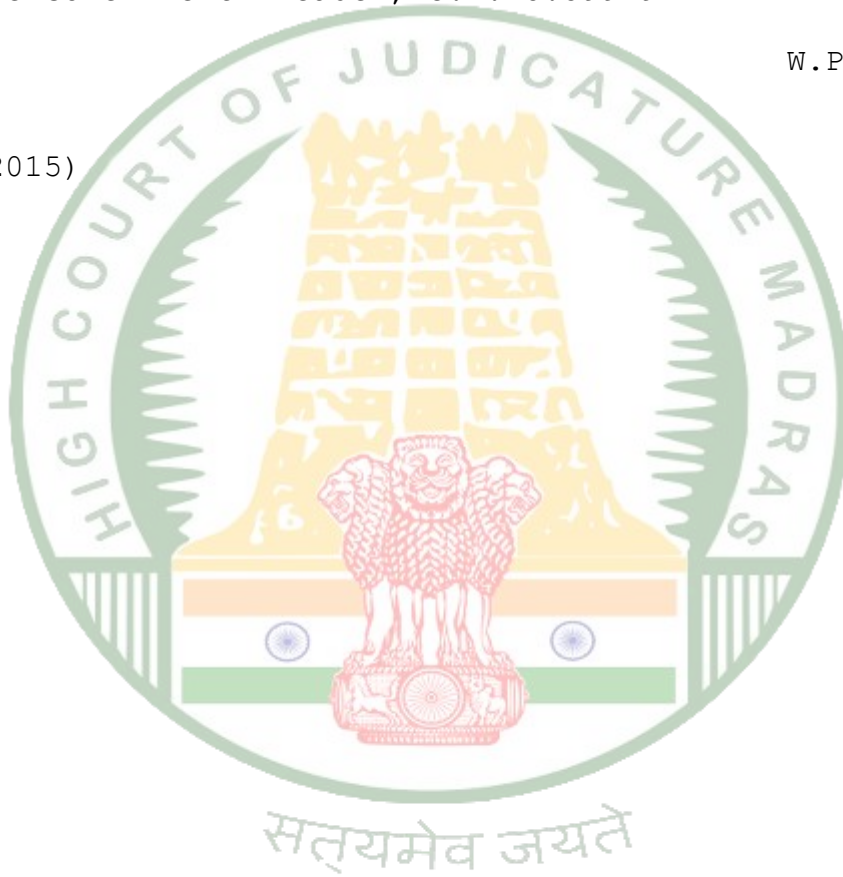
3. The Divisional Engineer Highways,  
Erode Division,  
Erode.

+lcc to Mr.G.Punniyakotti, Advocate, S.R.No.39692

+lcc to the Government Pleader, S.R.No.39949

W.P.No.23418/2015

CA(CO)  
CA(14/08/2015)



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