

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-08-2015

CORAM:

THE HON'BLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.23655 of 2015
and
M.P.No.1 of 2015

- 1 Mr. J.Vincent
S/o. Mr.Joseph Plot No.1 Kakkanji Nagar
Thiruvalluvar Street Pattabiram Chennai-72.
- 2 Mr.K.Nagarajan
S/o. Kuppandi SIDCO Industrial Estate
Theni-625 531.
- 3 Mr.P.Pathran
S/o. Mr.Palani Kollupalayam Kudimangalam
Udumalai Taluk Tirupur District.
- 4 Mr.M.Arumugam
S/o.Mr.Maran No.4/252 Sotmedu
Vallipuram Post Kunnathur (Via) Avinashi Taluk
Tirupattur District-638 103.
- 5 Mr.M.Meenakshisundaram
S/o. Mr.Muniyandi Pillai Muthukudi
Rajapalayam, Virudhunagar District.
- 6 Mr.G.Mayilvakanan
S/o.Mr.Gurusamy No.80 Rajapalayam Main Road
Mamspuram Srivilliputhur Taluk
Virudhunagar District.
- 7 Mr.R.Ravikumar
S/o. Ranganathan, SIDCO, Coimbatore.
- 8 Mr.V.Ramakrishnan
S/o. Vellaisamy No.223/2 N.Pudur
Nallamanaickenpatti Post, Rajapalayam Taluk
Virudhunagar District-626 102.

- 9 Mr.M.Kader Sulthan
S/o. Mohamed Raja 1417 WCR-I Sidco Estate
Devakottai Rastha Karaikudi-630 005.
- 10 Mr.V.Kuppusamy
S/o.Varadhan Moliyanur Village Kokipannai
Kattuvalaivu Pappirapatti Taluk Dharmapuri.
- 11 Mr.M.Kumar
S/o. Mariappan No.2/312 Ekkundi Agraharam Post
Krishnagiri District-635 002. ...Petitioners

Vs

- 1 The Principal Secretary
MSME Department, Secretariat, Fort St.George
Chennai-600 009.
- 2 The Managing Director
Tamil Nadu Small Industries Development Corporation
SIDCO Electronics Complex
Thiru.Vi.Ka.Industrial Estate, Guindy
Chennai-600 032. ...Respondents

Writ Petition under Article 226 of the Constitution of India praying for a writ of mandamus directing the respondents to regularizing the services of the petitioners herein based upon G.O.No.91 dt 10.7.2009 with all attended benefits as requested by them in their representation dt 13.7.2015

For petitioners : Mr. R. Kannan

For respondents : Mr. R. Vijayakumar, AGP for R1
Mr. Abdul Saleem for SIDCO (R2)

ORDER

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

2. The petitioners would claim that they joined the services of the second respondent as NMRS and since their service were not regularised, they have filed several writ petitions before this

Court. In pursuance of the orders passed by this Court, the 2nd respondent was directed to consider the claim of the petitioners based upon G.O.No.91, Micro Small and Medium Enterprises (c) Department dated 10-07-2009 regularising the services of NMRS who had completed ten years of service. The persons who are similarly placed have filed W.P.No.4772 of 2004 and by order dated 22-07-2009 had directed the concerned official respondents to consider the same in the light of the G.O., and pass appropriate orders within a stipulated time and also granted liberty to them to agitate separately by a proper representation for the consequential service benefits.

3. The second respondent has also sent a proposal dated 30-03-2012 in Rc.No.14382/B-2/2010 praying for regularisation of 21 NMRS and to post them in the existing vacancies. The petitioners have also through their lawyer sent a notice dated 09-03-2015 praying for regularisation of their service in accordance with the above cited G.O. The petitioners joining together had also submitted another representation dated 13-07-2015 to the respondents. Since no orders are passed, they have come forward with this writ petition.

4. Mr. R. Vijayakumar, learned Additional Government Pleader appears for the first respondent and Mr. Abdul Saleem, learned counsel for the second respondent.

5. Though the petitioner prayed for a larger relief, this Court without going into the merits of the case projected by them, directs the second respondent to consider the representation of the petitioners, dated 13-07-2015 on merits and in accordance with law after taking into consideration the G.O.No.91, Micro Small and Medium Enterprises (c) Department, dated 10-07-2009 and also the notice of the petitioners, dated 09-03-2015 and pass orders within a period of twelve weeks and communicate the decision taken to the petitioners.

6. The writ petition is disposed of, accordingly. No costs. The connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

glp

To

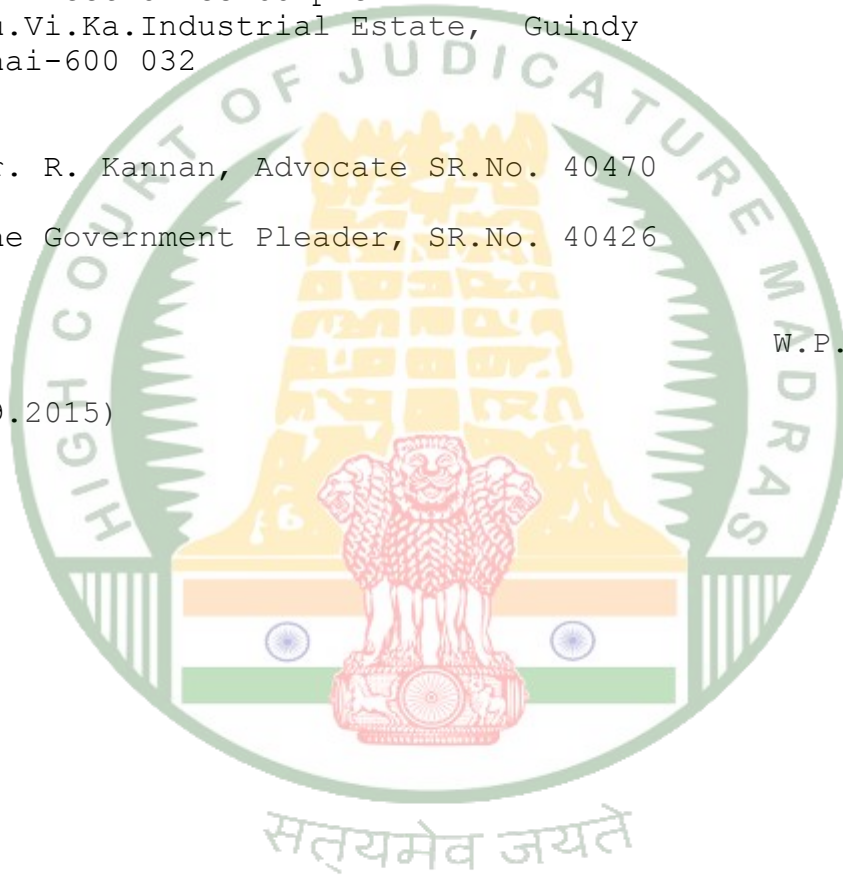
- 1 The Principal Secretary
MSME Department, Secretariat, Fort St.George
Chennai-600 009.
- 2 The Managing Director
Tamil Nadu Small Industries Development Corporation
SIDCO Electronics Complex
Thiru.Vi.Ka.Industrial Estate, Guindy
Chennai-600 032

1 CC to Mr. R. Kannan, Advocate SR.No. 40470

1 CC to the Government Pleader, SR.No. 40426

W.P.No.23655 of 2015

GGK (CO)
PSI (14.09.2015)



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