

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.09.2015

CORAM

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND

The Hon'ble MR.JUSTICE T.S.SIVAGNANAM

W.P.No.27408 of 2015

D.Sathiyamoorthy

.. Petitioner

-vs-

- 1.The Secretary to Government,
Municipal Administration and
Water Supply Department,
Secretariat, Chennai-9.
 - 2.The Director,
Municipal Administration,
Chepauk,
Chennai-9.
(2nd respondent name corrected as
per the order of the Court dt. 30.9.2015)
 - 3.The Regional Director,
Municipal Administration,
No.1, GST Road,
Jeeva Commercial Complex Building,
West Tambaram, Chennai-45.
 - 4.The Panruti Municipality,
rep. by its Commissioner,
Panruti,
Cuddalore District.
- .. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the respondents 1 to 3 to permit the 4th respondent to recruit eligible persons to fill up the existing vacancies that exists in the Panruti Municipality.

For Petitioner : Mr.M.S.Palaniswamy

For Respondent : Mr.P.H.Arvinth Pandian
Addl. Advocate General
assisted by
Mr.V.R.Kamalanathan
Addl. G.P. for R1 to R3

Mr.P.Srinivas for R4

ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

We have spent a considerable time endeavouring to understand how the mechanism works between the Municipality and the State Government. All that we could appreciate in the context of the present problem is that there may be possibly over stepping by the Municipality in respect of workers other than the sanitary workers. Qua the sanitary workers, outsourcing has been permitted and the Municipality states that it is now in the process of deploying the sanitary workers on contractual basis.

2. We do believe that the larger question remains, and there should be better co-ordination between the respective Municipalities and the State Government to address such a situation rather than taking time of the Court in this behalf.

3. We, thus, direct the second respondent (Director, Municipal Administration) to device a mechanism whereby there are periodic reviews with different Municipalities to ensure that such situation do not arise.

4. The learned Additional Advocate General states that the second respondent's name be corrected as the Director, Municipal Administration, Chepauk, Chennai-5 instead of the Commissioner, Municipal Administration, Chepauk, Chennai-5. Ordered accordingly. Memo of parties be corrected accordingly.

5. The writ petition is closed in terms aforesaid. No costs.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

1.The Secretary to Government,
Municipal Administration and
Water Supply Department,
Secretariat, Chennai-9.

2.The Director,
Municipal Administration,
Chepauk, Chennai-9.

3.The Regional Director,
Municipal Administration,
No.1, GST Road,
Jeeva Commercial Complex Building,
West Tambaram, Chennai-45.

4.The Commissioner,
Panruti Municipality,
Panruti, Cuddalore District.

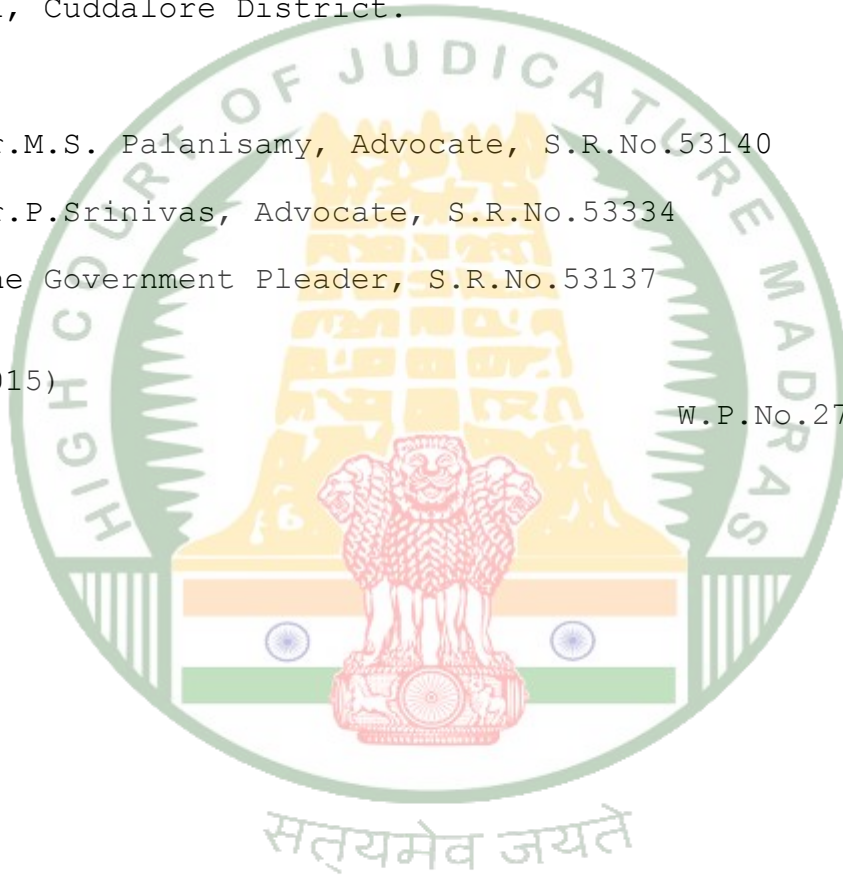
+1cc to Mr.M.S. Palanisamy, Advocate, S.R.No.53140

+1cc to Mr.P.Srinivas, Advocate, S.R.No.53334

+1cc to the Government Pleader, S.R.No.53137

GJ(CO)
EU(2/11/2015)

W.P.No.27408 of 2015



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