

In the High Court of Judicature at Madras

Dated: 07.10.2015

Coram

The Honourable Mr.JUSTICE M.SATHYANARAYANAN

Writ Petition No.31743 of 2015

G.Senthamilselvan

.... Petitioner

Vs.

1. The Managing Director,
Tamilnadu Water Supply & Drainage Board,
Chepauk, Chennai - 600 005.
2. The Executive Engineer,
Tamilnadu Water Supply & Drainage Board,
Maintenance Division, Trichy.

.... Respondents

PETITION under Article 226 of The Constitution of India praying for issuance of Writ of Mandamus to direct the second respondent to recover GPF subscription from the salary of the petitioner from the date of regularization.

For Petitioner : Mr.M.Muthupandian

For Respondents : Ms.S.Thamizharasi

O R D E R

By consent, the Writ Petition itself is taken up for final disposal.

2. The petitioner would state that he was appointed on daily wages as Rig Assistant on temporary basis with effect from 22.11.1989 and his services were terminated without any notice on 20.11.1991. Challenging the same, the petitioner has raised industrial dispute in I.D.No.95 of 1996 before the Labour Court, Trichy and vide award dated 31.3.1998, the Labour Court, Trichy ordered reinstatement of the petitioner with continuity of service and backwages. Aggrieved by the said award, the second respondent has filed W.P.No.1303 of 2000 before this Court and as per the interim order passed by this Court dated 28.1.2000, the petitioner was reinstated into service and he also joined

duty. The petitioner claims that at present he is working as Maintenance Assistant at S.A.P. Pumping Station, Vengur, Trichy District. Though his services has been regularized from 24.3.1991, no recovery under General Provident Fund has been effected from the salary and in this regard, the petitioner has submitted a representation dated 22.1.2015 to the second respondent. Since no orders have been passed, the petitioner came forward to file the present Writ Petition.

3. Heard the submissions of the learned counsel appearing for the petitioner and Ms.S.Thamizharasi, learned Standing Counsel, who accepts notice on behalf of the respondents.

4. Though the petitioner has prayed for a larger relief, this Court, in the light of the above-said facts and circumstances, directs the second respondent to consider and dispose of the representation of the petitioner dated 22.01.2015 on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

The Writ Petition is disposed of accordingly. No costs.

-Sd/-

Assistant Registrar

//True copy//

Sub Assistant Registrar

To

1. The Managing Director,
Tamilnadu Water Supply & Drainage Board,
Chepauk, Chennai - 600 005.
2. The Executive Engineer,
Tamilnadu Water Supply & Drainage Board,
Maintenance Division, Trichy.

+1 cc to Mr.M.Muthappan, Advocate (sr.54652)

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LRS (co)
cp 19/10/2015