

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:12.04.2016

CORAM

THE HON'BLE MR.JUSTICE T.RAJA

W.P.Nos.13522 to 13525 of 2016

N.Nagarajan	.. Petitioner in W.P. No.13522 of 2016
C.Venkatesan	.. Petitioner in W.P. No.13523 of 2016
V.R.Sekar	.. Petitioner in W.P. No.13524 of 2016
A.Ramasamy	.. Petitioner in W.P. No.13525 of 2016

vs

1.The State of Tamil Nadu,
rep. by its Principal Secretary,
Municipal Administration and
Water Supply Department,
Secretariat, Fort St. George,
Chennai-600 009.

2.The Director of Town Panchayat,
Kuralagam, Chennai-600 018. ... Respondents in all W.Ps

Writ petitions filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing the respondents to absorb the petitioners in the post of Work Inspector in the light of the judgment passed in W.P. No.5203 of 2016 dated 03.03.2016.

For Petitioners : Mr.R.Singaravelan,
Senior Counsel for
Mr.G.Thalaimutharasu

For Respondents in all W.Ps: Mr.R.Vijayakumar,
Additional Government Pleader

COMMON ORDER

The writ petitions have been filed by the petitioners, seeking a direction to the respondents to absorb them in the post of Work Inspector in the light of the order passed in W.P. No.5203 of 2016 dated 03.03.2016.

2. When the matter is taken up today for hearing, learned senior counsel appearing for the petitioners would submit that since the issue raised in these writ petitions has already been settled by directing the respondents to consider not only the petitioners in the said writ petition i.e. 15 in number, but also the other Technical Assistants out of the 54 persons by the order dated 03.03.2016 in W.P. No.5203 of 2016, the same order will be applicable in these cases also, as the petitioners are one among the 54 persons.

3. Mr. R. Vijayakumar, learned Additional Government Pleader takes notice on behalf of the respondents.

4. It is not in dispute that the issue raised in these W.Ps has already been decided by this Court in W.P. No.5203 of 2016 dated 03.03.2016, wherein this Court has directed as follows:

"7. Although this Court fully agrees with the submission of the learned Additional Advocate General that since out of 250 Vacant Work Inspectors, 171 are going to be promoted and therefore, 79 vacancies are available, which will be no doubt, treated as Vanishing Category, further since the petitioners are longing for promotion, for more than 10 years, in the post of Technical Assistant, since their earlier prayer to promote them to the post of Work Inspector, has been turned down, as this post has been considered as Vanishing Category, this Court, in the interest of the parties to the petition, is of the considered view that out of 79 vacancies, available in the posts of Work Inspector, the respondents are directed to consider, not only the petitioners, 15 in number, all the 54 persons presently working as Technical Assistants, for the same and after their superannuation, it is left open to the respondents to treat the post of Work Inspector as a Vanishing Category. The above exercise shall be done within a period of three months, from the date of receipt of a copy of this order.

8. With these directions, the writ petition is disposed of. No costs. Interim order earlier granted will be vacated. Consequently, connected Miscellaneous Petitions are also closed."

5.Since the petitioners in these W.Ps are also one among the 54 persons, these W.Ps are disposed of with a direction to the respondents to consider the case of the petitioners for absorption, in the light of the observation made in para 7 of the aforesaid order. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

1.The Principal Secretary,
Municipal Administration and
Water Supply Department, Government of TamilNadu
Secretariat, Fort St. George,
Chennai-600 009.

2.The Director of Town Panchayat,
Kuralagam, Chennai-600 018.

+4cc to M/S.G.Thalaimutharasu, Advocate sr.23329,23328,23330 &
23331

+1cc to the Government Pleader sr.23154

W.P.Nos.13522 to 13525 of 2016

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srg 26/04/2016

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