

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 15.06.2016

CORAM

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

Writ Petition No.12560 of 2007
(O.A.No.1078 of 2003)

1.R.Shanmugam
2.A.Sivakumar
3.S.Akilandam
4.S.Asokan
5.C.Vellaichamy
6.M.Muniyandi
7.D.Shahanas

.. Petitioners

Vs.

1.The Chief Engineer,
Highways & Rural Works Department,
Chepauk,
Chennai-600 005.

2.The Divisional Engineer,
Highways & Rural Works Department,
Pudukottai.

.. Respondents

Prayer: Original Application No.1078 of 2003 filed before the Tamil Nadu Administrative Tribunal, on abolition, transferred to the file of this Court and renumbered as Writ Petition No.12560 of 2007, seeking for a writ of Mandamus, directing the respondents herein to absorb the petitioners in the regular establishment of the department and to regularise their services from the date of their respective initial appointment in the post of technical assistant, typist and tractor driver or in equivalent or in equivalent posts, as the case may be, with consequential service and monetary benefits.

For Petitioners : Mr.M.Ravi
For Respondents : Mr.S.Gunasekaran
Additional Government Pleader

O R D E R

This Writ Petition has been filed by the petitioner for a writ of Mandamus, directing the respondents herein to absorb them in the regular establishment of the department and to regularise their services from the date of their respective initial appointment in the post of technical assistant, typist and tractor driver or in equivalent or in equivalent posts, as the case may be, with consequential service and monetary benefits.

2.Heard the learned counsel appearing for the petitioners as well as the learned Additional Government Pleader appearing for the respondents.

3.When the matter came up for hearing today, counter affidavit has been filed on behalf of the second respondent. It has been stated in the counter that as per G.O.Ms.No.22/P & AR Department, dated 28.02.2006, services of the petitioners namely, R.Shanmugam, S.Akilandam and A.Sivakumar were regularised as they have completed ten years of service whereas the other petitioners namely, S.Ashokan, C.Vellaichamy, M.Muniyandi and D.Shahanas were not regularised as they have not completed ten years of service as on 01.01.2006. It is further stated that the above four petitioners are also not in service now. Therefore, the prayer sought for in respect of the above four petitioners has become infructuous.

4.Recording the statements given in the counter affidavit of the second respondent, this Writ Petition is closed. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

DP

To

1.The Chief Engineer,
Highways & Rural Works Department,
Chepauk,
Chennai-600 005.

2.The Divisional Engineer,
Highways & Rural Works Department,
Pudukottai.

+1cc to Mr.M. Ravi, Advocate, S.R.No.32881
+1cc to the Government Pleader, S.R.No.33148

LRS (CO)
EU(4/07/2016)

WP.No.12560 of 2007