

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.10.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.34164 of 2016

1. V.Shanthi
2. V.Kalaimani
3. R.Sasikala
4. S.Kalpana

... Petitioners

vs.

1. The Commissioner,
Corporation of Coimbatore,
Coimbatore District.
2. The Assistant Commissioner,
South Zone,
Coimbatore.

... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, to direct the respondents to regularise the services of the petitioners by taking into account several years of continuous service rendered by them in the light of the resolution passed by the kuniamuthur Municipality dated 03.03.2010 (now merged with Coimbatore Corporation and the representation dated 21.10.2015 with all consequential attendant benefits including pay scale.

For Petitioners : Mr.V.Vijay Shankar

For Respondents : Mr.K.Makesh

ORDER

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

2. The petitioner has come up with the present writ petition for a Writ of Mandamus, to direct the respondents to regularise the services of the petitioners by taking into account several years of continuous service rendered by them in the light of the resolution passed by the kuniamuthur Municipality dated 03.03.2010 (now merged with Coimbatore Corporation) and the representation dated 21.10.2015 with all

consequential attendant benefits including pay scale.

3. It is the case of the petitioners that the petitioners were initially appointed as computer assistant on contract basis in the Kuniamuthur Municipality during the period 1997-2001. Now, Kuniamuthur Municipality has been merged with the Coimbatore Corporation and it is a part of Coimbatore Corporation. The petitioners have been working continuously in the said Corporation.

4. On 03.03.2010, the Kuniamuthur Municipality passed a resolution that the employees, who have been working continuously in the Coimbatore Corporation should be given preference at the time of regular appointment. Even though several vacancies exists in the Coimbatore Corporation, the respondents have kept the same vacant.

5. Similarly placed persons like the petitioners had approached this Court by filing Writ Petitions and the same were allowed directing the respondents to take consequential action and pass appropriate orders based on the resolution of the Kuniamuthur Municipality dated 03.03.2010. Pursuant to the direction of this Court, few employees have now been brought on regular scale of pay. Hence, the petitioners made a representation dated 21.10.2015 to the first respondent with regard to confirmation of their service. But, no action has been taken till date. Hence, the petitioners have come forward with the present petition.

6. Considering the facts and circumstances of the case and considering the submissions made on either side, without going to the merits of the claim of the petitioner, the petitioner is directed to give a copy of the representation dated 21.10.2015, along with a copy of this order, to the first respondent, within a period of two weeks and on receipt of the same, the first respondent is directed to consider the same and pass appropriate orders on merits and in accordance with law, within a period of six weeks thereafter.

7. With the above direction, this petition is disposed of. No costs.

-sd-

Assistant Registrar

//True copy//

Sub Assistant Registrar

mrp

To

1. The Commissioner,
Corporation of Coimbatore,
Coimbatore District.
2. The Assistant Commissioner,
South Zone,
Coimbatore.

C.C. to MR.V.VIJAYSHANKAR Advocate SR.NO.57004

C.C. to MR.K.MAGESH Advocate SR.NO.56563

SCD (CO)
VS 22.10.2016

W.P.No.34164 of 2016



WEB COPY