

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.09.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

W.P.Nos.34408 to 34410 of 2016

1. V.Tamilselvi
2. E.Manimegalai
3. N.Padma
4. R.P.Lakshmi
5. S.Vijayalakshmi
6. R.Jhansi Rani

... Petitioners in W.P.34408/2016

1. S. Anthony Samy
2. P.Shanmugam
3. A.Sivaprakasam
4. K.Anbhazhagan
5. P.Malliga
6. M.Ayyavu
7. M.Latha
8. A.Magam
9. K.Kanagaraaj
10. K.Rajendran
11. A.Thamizh Muthu
12. P.N.Suresh Kumar
13. M.Mehendran
14. D.Muthulakshmi
15. M.Periyasamy.

... Petitioners in W.P.34409/2016

1. M.balasubramanian
2. N.Kumar
3. K.Chithiravel
4. S.Sundaramoorthy
5. N.Arumugam
6. K.Anitha
7. M.Malathy
8. R.Rajalakshmi
9. G.latha
10. S.Anjammal
11. A.Bhanumathy
12. S.Malliga
13. S.Jayanthy
14. K.Poongodi

... Petitioners in W.P.34410/2016

VS.

1. The State of Tamil Nadu
rep. by its Secretary to Government,
Backward & Minorities Welfare Department,
Secretariat,
Chennai - 600 009.

2. The Director,
Backward & Minorities Welfare Department,
Ezhilagam, Chepauk,
Chennai - 600 005

... Respondents 1 & 2 in all W.Ps.

3. The District Officer,
Backward & Minorities Welfare Department,
Trichy District. ... 3rd Respondent in W.Ps.
34408 & 34409/2016

4. The District Officer,
Backward & Minorities Welfare Department,
Nagapattinam District. ... 3rd respondent in W.P.
34410/2016

Common Prayer :-

Writ petitions have been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents to consider and pass orders on the representation of the petitioners dated 01.02.2016 & 27.11.2014 with regard to retrospective regularization of service.

For Petitioners in all W.Ps : Mr.R.Ganesh Babu

For Respondents in all W.Ps : Mr.Gunasekaran

Addl. Govt. Pleader

C O M M O N O R D E R

With the consent of both sides, the main writ petitions themselves are taken up for final disposal.

2. The petitioners have come up with the present writ petitions for a mandamus, directing the respondents to consider the representations of the petitioners with regard to retrospective regularization of service.

3. The petitioners were appointed as Assistant cook on consolidated basis by the 3rd respondent and subsequently they were promoted and regularized in the existing post of cook. The Government has regularized the service of the Assistant Cook in accordance with the rules from the date of initial appointment because there is no consolidate salary post of Assistant cook is

available in the Service Rules, but, the respondent has selected and appointed the petitioners as Assistant Cook with consolidate salary of Rs.500/- and regularized their service as Cook, which is against the rules. Hence, the petitioners have made representations to extend all the benefits of the regularization from the date of their initial appointment. But, no action has been taken till date on the said representations. Hence, the petitioners have come forward with the above writ petitions.

4. I have heard the learned counsel appearing for the petitioners and the learned Additional Government Pleader appearing for the respondents.

5. Considering the facts and circumstances of the case and considering the submissions made on either side, without going into the merits of the claim of the petitioners, the respondents are directed to consider the representations of the petitioners and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. These writ petitions are disposed of accordingly. No costs.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

To

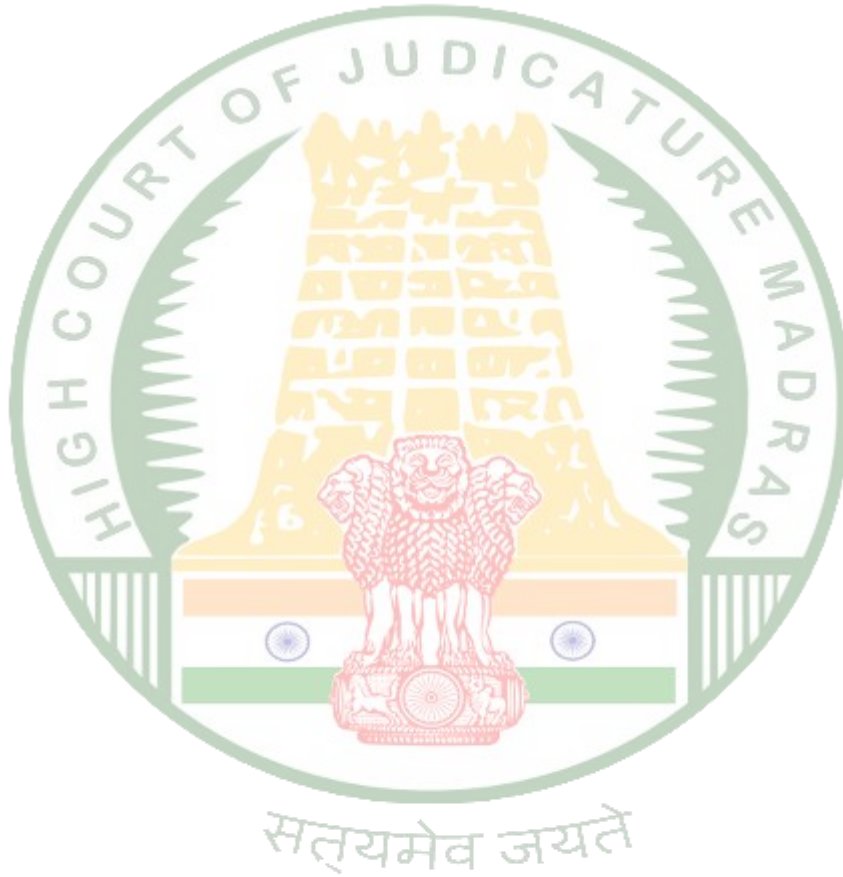
1. The Secretary to Government,
State of Tamil Nadu
Backward & Minorities Welfare Department,
Secretariat,
Chennai - 600 009.
2. The Director,
Backward & Minorities Welfare Department,
Ezhilagam, Chepauk,
Chennai - 600 005
3. The District Officer,
Backward & Minorities Welfare Department,
Trichy District.

4. The District Officer,
Backward & Minorities Welfare Department,
Nagapattinam District.

+6 cc's to M/s.R.Ganesh Babu,advocate,sr.56186 to 188

+1 cc to Government Pleader,sr.56464
ctk(co)
krd 11/11

W.P.Nos.34408
to 34410 of 2016



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