

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.10.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.37606 of 2016

1 C.Chinnakalai
2 V.Ramasami
3 M.Arumugam Petitioners

Vs

1 The State of Tamil Nadu
Rep by the Secretary Public Works
Departments Fort St. George Chennai 9
2 The Chief Engineer (General)
and Engineer in Chief Chepauk Chennai 5
3 The Chief Engineer (Buildings)
Public Works Department Chepauk Chennai 5
4 The Chief Engineer Regional
Coimbatore Region Coimbatore
5 The Superintending Engineer
W.R.O. Public Works Department Special
Project Circle Palani Dindigul District
624 619 Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents to consider the petitioners' representation dated 5.10.2016 for regularizing their service on and after completion of 10 years services on the basis as per the G.O.Ms.No.22 dated 28.2.2006 and within a time to be stipulated by this Court.

For Petitioners : Ms.S.Esai Rani
For Respondents : Mr.N.Srinivasan,
Addl. Govt. Pleader

ORDER

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

2. The petitioners have come up with the present writ petition for a mandamus, directing the respondents to consider their representation dated 5.10.2016 for regularizing their service on and after completion of 10 years, as per the G.O.Ms.No.22 dated 28.2.2006 and within a time to be stipulated by this Court.

3. It is the case of the petitioners that they have been appointed as Casual Labourers with effect from May 1991, April 1992 and March 1995 respectively and they have completed more than 10 to 20 years of service. As per the G.O.Ms.No.22 dated 28.2.2006, their services have to be regularized by appointing them in the regular time scale of pay. In this regard, they sent representation dated 5.10.2016 to the respondents. Since the same was not considered so far, the petitioners have come up with the present writ petition for the relief set out earlier.

4. I have heard the learned counsel appearing for the petitioners and the learned Additional Government Pleader, who has taken notice on behalf of the respondents.

5. Considering the facts and circumstances of the case and considering the submissions made on either side, this Court directs the second respondent to consider the representation of the petitioners dated 5.10.2016 seeking regularization of their service on and after completion of 10 years and pass appropriate orders, on merits and in accordance with law and also as per G.O.Ms.No.22 dated 28.2.2006, within a period of eight weeks from the date of receipt of a copy of this order. It is made clear that this Court is not expressing any opinion with regard to the claim projected by the petitioners and it is for the second respondent to consider the claim of the petitioners strictly on merits and in accordance with law. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

sbi
To

- 1 The Secretary
State of Tamil Nadu
Public Works Departments
Fort St. George Chennai 9
- 2 The Chief Engineer (General)
and Engineer in Chief Chepauk Chennai 5
- 3 The Chief Engineer (Buildings)
Public Works Department Chepauk Chennai 5
- 4 The Chief Engineer Regional
Coimbatore Region Coimbatore
- 5 The Superintending Engineer
W.R.O. Public Works Department Special
Project Circle Palani Dindigul District
624 619

+1cc to Mr.S. Esai Rani, Advocate, S.R.No.61813
+1cc to the Government Pleader, S.R.No.61702

scd(CO)
md(24/11/2016)

W.P.Nos.37606 of 2016

सत्यमेव जयते

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