

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.12.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

Writ Petition No.42386 of 2016

P.Rajendran

... Petitioner

Vs

1.The State of Tamilnadu
rep. by its Secretary to Government
Labour and Employment (E2) Department
Secretariat Chennai-9

2.The Commissioner of Labour
Chennai-6

3.The Labour officer
O/o. The Labour officer Krishnagiri
Krishnagiri District

... 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 claims of the petitioner and pass orders on the representation of the petitioner dated 7.4.2016 in regard to regularise the service of the petitioner from the date of completion of 10 years of service with all benefits as was given to the petitioners juniors in G.O.(4D) No.5 Labour and Employment (E2) Department dated 9.5.2012 and G.O.(4D) No.11 Labour and Employment (E1) Department dated 2.8.2012.

For Petitioner : Mr.G.Elanchezhiyan

For Respondents : Mr.S.N.Parthasarathy,
Government Advocate

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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 mandamus, directing the respondents to consider his claims and pass orders on his representation dated 7.4.2016

in regard to regularise his service from the date of completion of ten years of service with all benefits as was given to his juniors in G.O.(4D) No.5 Labour and Employment (E2) Department dated 9.5.2012 and G.O.(4D) No.11 Labour and Employment (E1) Department dated 2.8.2012.

3. Though very many contentions have been made in the affidavit filed in support of the writ petition, at the time of arguments, learned counsel appearing for the petitioner submitted that if a direction is given to the respondents to consider the claim of the petitioner in the light of G.O.(4D) No.5 Labour and Employment (E2) Department dated 9.5.2012 and G.O.(4D) No.11 Labour and Employment (E1) Department dated 2.8.2012, that would suffice. In view of the said submission made by the learned counsel appearing for the petitioner, I am of the opinion, it is not necessary for this Court to deal with the entire averments made in the affidavit filed in support of the writ petition.

4. Accordingly, without going into the merits of the claim projected by the petitioner, this Court directs the petitioner to send a copy of the representation dated 7.4.2016 along with a copy of this order to the respondents within a period of two weeks from the date of receipt of a copy of this order and on receipt of the same, the respondents are directed to consider the said representation seeking regularization of his service and pass appropriate orders, on merits and in accordance with law and also in the light of G.O.(4D) No.5 Labour and Employment (E2) Department dated 9.5.2012 and G.O.(4D) No.11 Labour and Employment (E1) Department dated 2.8.2012, within a period of six weeks thereafter. The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

sbi

To

1.The Secretary to Government
State of Tamilnadu
Labour and Employment (E2) Department
Secretariat Chennai-9

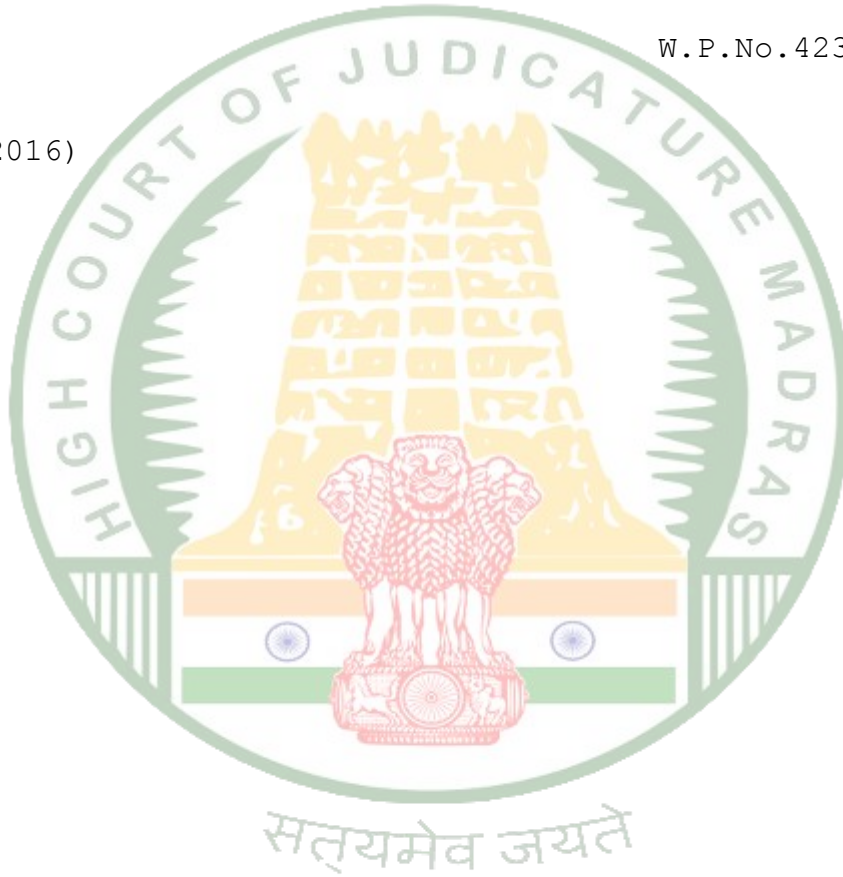
2.The Commissioner of Labour
Chennai-6

3.The Labour officer
O/o. The Labour officer
Krishnagiri
Krishnagiri District

+lcc to Mr.G.Elanchezhiyan, Advocate, S.R.No.71384
+lcc to the Government Pleader, S.R.No.71654

W.P.No.42386 of 2016

VSN(CO)
CA(30/12/2016)



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