



WEB COPY

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.11.2016

CORAM :

THE HON'BLE Dr.JUSTICE S.VIMALA

W.P(MD)No.21247 of 2016

K.Rajamani

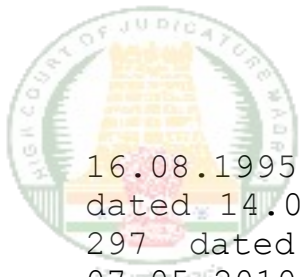
.. Petitioner

Vs.

1. The State of Tamil Nadu,
rep.by its Secretary,
Public Works Department,
Fort St.George,
Chennai - 9.
2. The Engineer-in-chief (Buildings)
cum Chief Engineer (Buildings)
Chennai Zonal,
Chief Engineer (General)
Public Works Department,
Chepak, Chennai - 600 005.
3. The Chief Engineer (Buildings),
Public Works Department,
Madurai Region, Madurai - 2.
4. The Superintending Engineer (Buildings)
Construction and Maintenance
(Medical Works) Circle,
Public Works Department,
Thallakulam, Madurai - 2.
5. The Executive Engineer,
Building Construction and Maintenance,
(Medical Works) Division,
Public Works Department,
Collectorate, Sivagangai.

.. Respondents

Petition filed under Article 226 of the Constitution of India, praying for issue a Writ of Mandamus directing the respondent to take action of the petitioner's representation dated 28.10.2015 to regularize the petitioner's service as Work
<https://hcservices.ecourts.gov.in/hcservices/> -II from 01.07.1990 similar to others in the light of the G.O.Ms.Nos.461 dated 15.03.1980, 680 dated



16.08.1995, 788 dated 01.06.1992, 193 dated 30.03.1999, 297 dated 14.09.2007, 392 dated 19.06.1998, 286 dated 13.12.2005, 297 dated 14.09.2007, 140 dated 14.05.2010 and 134 dated 07.05.2010 and order passed in W.P.No.27265 of 2005 dated 08.03.2006 and W.P.No.7197 of 2008 dated 27.01.2011 within a time frame to be fixed by this Court.

For Petitioner : Mr.M.Venkatesan
For Respondents : Mr.A.Muthukaruppan
Additional Government Pleader

ORDER

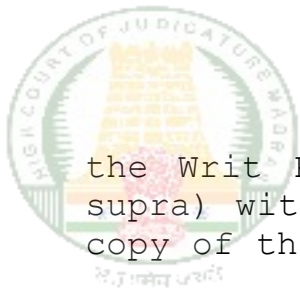
This Writ of Mandamus has been filed seeking a direction to the respondents to regularise the petitioner's service as Work Inspector, Grade - II, from 01.07.1990, like that of the similarly placed persons, in the light of G.O.Ms.No.461 dated 15.03.1980, G.O.Ms.No.680 dated 16.08.1995, G.O.Ms.No.788 dated 01.06.1992, G.O.Ms.No.193 dated 30.03.1999, G.O.Ms.No.297 dated 14.09.2007, G.O.Ms.No.392 dated 19.06.1998, G.O.Ms.No.286 dated 13.12.2005, G.O.Ms.No.297 dated 14.09.2007, G.O.Ms.No.140 dated 14.05.2010 and G.O.Ms.No.134 dated 07.05.2010 as well as in the light of the orders passed in W.P.No.27265 of 2005 dated 08.03.2006 and W.P.No.7197 of 2008 dated 27.01.2011, within a time frame to be fixed by this Court.

2.Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents. By consent, the Writ Petition itself is taken up for final disposal at the stage of admission.

3.The petitioner was working in the first respondent department, lastly as a Work Inspector, Grade - II, which comes under the 5th respondent. He retired from service on 31.10.2015. His services have been regularised in the post of Mazdoor, instead of the post of Work Inspector Grade II. Pointing out the anomaly, the petitioner has given several representations and the last one is dated 28.10.2015. As his representation is not considered, this writ petition has been filed.

4.The learned Additional Government Pleader for the respondents submitted that the representation of the petitioner would be considered and orders will be passed by the first respondent within a time frame to be fixed by this Court.

5.Accordingly, the first respondent is directed to consider the representation of the petitioner dated 28.10.2015 and to pass orders on merits and in accordance with law in the light of the Government orders viz., G.O.Ms.Nos.461 dated 15.03.1980, 680 dated 16.08.1995 etc., as well as in the light of the orders passed in



the Writ Petition Nos.27265 of 2005 and 7197 of 2008 (mentioned supra) within a period of four weeks from the date of receipt of a copy of this order.

6.The Writ petition is disposed of with the above direction. No costs.

Sd/
Assistant Registrar(C.S-I)

/TRUE COPY/

Sub Assistant Registrar

To

- 1.The Secretary, State of Tamil Nadu,
Public Works Department, Fort St.George, Chennai - 9.
- 2.The Engineer-in-chief (Buildings) cum Chief Engineer (Buildings)
Chennai Zonal, Chief Engineer (General)
Public Works Department, Chepak, Chennai - 600 005.
- 3.The Chief Engineer (Buildings),
Public Works Department, Madurai Region, Madurai - 2.
- 4.The Superintending Engineer (Buildings)
Construction and Maintenance (Medical Works) Circle,
Public Works Department, Thallakulam, Madurai - 2.
- 5.The Executive Engineer,
Building Construction and Maintenance, (Medical Works) Division,
Public Works Department, Collectorate, Sivagangai.

+1cc to M/s.M.Venkatesan, Advocate, in SR No.68719.

W.P (MD) No.21247 of 2016
15.11.2016

mj
msm/sk/sar3/23.11.16/p3/7c