



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **01.03.2016**

CORAM:

THE HONOURABLE MRS. JUSTICE PUSHPA SATHYANARAYANA

W.P(MD) Nos. 4152 and 4153 of 2016

Kannan ... Petitioner in W.P(MD) No. 4152 of 2016
Rengasamy ... Petitioner in W.P(MD) No. 4153 of 2016

Vs.

1. The Secretary to Government,
Municipal Administration and Water Distribution Department,
St. George Fort,
Chennai - 600 009.

2. The District of Town Panchayat,
Kuralagam,
Chennai - 108.

3. The Assistant Director,
Town Panchayat,
Panagal Building,
Thanjavur.

4. The Executive Officer,
Ammapettai Town Panchayat,
Thanjavur.

5. The Chairman,
Ammapettai Town Panchayat (Selection Grade),
Thanjavur.

... Respondents in both W.Ps

Common Prayer: Writ Petitions are filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 4 to regularize the service of the petitioners with monitory benefits in the light of the proposal, dated 28.03.2013 forwarded by the fifth respondent by considering the petitioners' representation, dated 04.02.2016.

(In both W.Ps)

For Petitioner : Mr. G. Karnan

For R-1 to R-3 : Mr. G. Muthukannan,
Government Advocate

For R-4 & R-5 : Mr. Ayiram K. Selvakumar
Government Advocate

**COMMON ORDER**

Mr.G.Muthukannan, learned Government Advocate takes notice for the respondents 1 to 3 and Mr.Ayiram K.Selvakumar, learned Government Advocate takes notice for the respondents 4 and 5.

2. By consent of parties, the main Writ Petitions are taken up for final disposal.

3. The two Writ Petitions are filed by one Kannan, who is an Assistant and by one Rengasamy, who is an Over Head Tank Operator in the fourth and fifth respondents office and they had been said to be employed from the year 1999. Their appointment was on temporary basis in the existing vacancy. The petitioners claim that in the year 2012, a resolution was passed by the fifth respondent to increase the salary of daily wages and accordingly, their salary was also increased. However, their services were not regularized though they have been working for considerably a long time. The petitioner relied on the resolution passed by the fifth respondent on 28.03.2013 based on which, they have also made a representation to the respondents on 04.02.2016 to regularize their services with monitory benefits in the light of the proposal, dated 28.03.2013. Even without waiting for the respondents to consider the said representation, the petitioners have rushed to this Court seeking a direction for the disposal of the said representation.

4. In the light of the above facts, considering the limited scope of the prayer sought for by the petitioners, without expressing any opinion on the merits of the case, the respondents 3 to 5 are directed to consider the representation of the petitioners, dated 04.02.2016 and pass appropriate orders on the same, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

With the above direction, the Writ Petitions are disposed of. No Costs.

Sd/-

Assistant Registrar(AS)



To

- 1.The Secretary to Government,
Municipal Administration and Water Distribution Department,
St. George Fort,
Chennai - 600 009.
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Ammapettai Town Panchayat,
Thanjavur.
- 5.The Chairman,
Ammapettai Town Panchayat (Selection Grade),
Thanajvur.

+2cc to Mr.G.Karnan, Advocate Sr.Nos.11550 and 11551
+1cc to The Special Government Pleader SR.No.11849

akm/07.03.2016/3p-9c/AAL/MPA/SAR-I

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