



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.04.2016

CORAM :

WEB COPY

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

Writ Petition (MD) No.8722 of 2016

K.Karthikeyan

... Petitioner

Vs.

- 1.The Principal Chief Engineer,
Department of Water Resources
Public Works Department,
Chepauk, Chennai-5.
- 2.The Chief Engineer,
Public Works Department,
Department of Water Resources
Town Hall,
Coimbatore Zone,
Coimbatore District.
- 3.The Superintending Engineer,
Public Works Department,
Department of Water Resources,
Special Project Circle,
Palani, Dindigul District.
- 4.The Executive Engineer,
Public Works Department
Department of Water Resources
Nankanjiyaru Basin Division,
Palani, Dindigul District.
- 5.The Assistant Executive Engineer,
Department of Water Resources,
Public Works Department
Kudaganaru Sub Division,
Vedachanthur, Dindigul District.

... Respondents

Prayer:- Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the 5th respondent to include the petitioner's name in the Non Muster Roll (NMR) as well as to regularize his services on the basis of the petitioner's representation dated 25.03.2016.

For Petitioner

: Mr.M.Subash Babu

<https://hcservices.ecourts.gov.in/hcservices/>

For Respondents

: Mr.G.Muthu Kannan
G.A for RR-1 to 5

**ORDER**

The petitioner has come up with the above writ petition for issuance of a Writ of Mandamus directing the 5th respondent to include the petitioner's name in the Non Muster Roll (NMR) as well as to regularize his services on the basis of the petitioner's representation dated 25.03.2016.

2. By consent of both sides, the writ petition itself is taken up for final disposal.

3. It is the case of the petitioner that since 06.05.2002, the petitioner has been working as Collie on daily wages in the Office of the Assistant Executive Engineer in the Kudaganaru Sub-Division, Department of Water Resources, Public Works Department, Vedachanthur, Dindigul District. On 28.01.2009, the fifth respondent had opened a Service Register Book for the petitioner. Whiles, the first respondent sent a proceedings dated 19.01.2009 to all the Chief and Superintendent Engineer to regularize the services of Collies working on daily wages. Subsequently, on the requisition of the petitioner to the fifth respondent to regularize his services and to include his name in the Non Muster Roll of employees, the fifth respondent has sent a communication to the 4th respondent in his letter, dated 25.07.2011. Thereafter, he sent a letter to the Chief Minister Special Cell on 11.03.2013. Thereafter, on 25.03.2016, he has sent a detailed representation to the 5th respondent. But, till date, no action has been taken by the 5th respondent to include his name in the Non Muster Roll (NMR) as well as to regularize his services. Hence, he has approached this court by way of filing this writ petition.

4. Considering the above facts and circumstances of the case, this court, without going into the merits of the claim of the petitioner, directs the fifth respondent to consider the representation of the petitioner, dated 25.03.2016 and pass appropriate orders, on the same on merits and in accordance with law, within a period of 6 weeks from the date of receipt of a copy of this order.

5. The writ petition is accordingly disposed of. No costs.

Sd/-

Assistant Registrar

/True copy/

Sub Assistant Registrar



To

1. The Principal Chief Engineer,
Department of Water Resources
Public Works Department, Chepauk, Chennai-5.
2. The Chief Engineer,
Public Works Department,
Department of Water Resources, Town Hall,
Coimbatore Zone, Coimbatore District.
3. The Superintending Engineer,
Public Works Department, Department of Water Resources,
Special Project Circle, Palani, Dindigul District.
4. The Executive Engineer,
Public Works Department, Department of Water Resources
Nankanjiyar Basins Division, Palani, Dindigul District.
5. The Assistant Executive Engineer,
Department of Water Resources,
Public Works Department Kudaganaru Sub Division,
Vedachanthur, Dindigul District.

+one cc to M/s.M.Subash Babu, Advocate in SR.NO.25229

vs

CSL/PEK/SAR-I/02.06.2016 : 3p/7c

Writ Petition (MD) No.8722 of 2016
28.04.2016