



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.09.2016

CORAM

THE HONOURABLE DR.JUSTICE S.VIMALA

W.P(MD)No.13761 of 2013

R.Nithiyanantham

... Petitioner

vs.

1)The Chairman and Managing Director,
Tamilnadu Water and Drainage Board,
Chepauk, Chennai.

2)The Superintending Engineer,
Tamilnadu Water and Drainage Board,
Tiruchy-Pudukottai Circle,
Tiruchirappalli.

3)The Executive Engineer,
Tamilnadu Water and Drainage Board,
Rural Water Scheme Division,
Permbalur.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to give an employment to the petitioner on compassionate ground in the 1st respondent board.

For Petitioner : Mr.S.Muthukrishnan

For Respondents : Mr.K.Muthuramalingam

ORDER

This Writ of Mandamus has been filed to direct the respondents to give an employment to the petitioner in the 1st respondent board on compassionate grounds.

2.The petitioner's father one Rajendran, was appointed as Watchman on NMR basis; he was working under the respondents; he was terminated from service on 10.07.1990; challenging the termination, he raised an industrial dispute in I.D.No.85 of 1997 and the same was allowed on 21.12.1998, directing the respondents to reinstate the petitioner with backwages and continuity of service; challenging the award made in I.D.No.85 of 1997, the respondents filed W.P.No.16719 of 1999 and during the pendency of the writ petition, the petitioner's father died on 26.11.2000; the order in the writ petition was to the effect that the services of the petitioner should be regularised in terms of the settlement made under Section 12(3) of the Act, within a period of eight



weeks from the date of receipt of the order and thereafter, the petitioner has made a representation dated 29.07.2009 to the 1st respondent seeking appointment on compassionate grounds.

3. The proceedings dated 15.03.2010, of the Secretary and General Manager of the Tamil Nadu Water and Drainage Board, Chepauk, Chennai, enclosed in the typed set of papers, has been addressed to various persons which includes the Chief Engineer, Tamil Nadu Water and Drainage Board, Eastern Region, Thanjavur, in which, the petitioner's application has been referred to along with the order passed in W.P.Nos.16719 of 1999 and 6054 of 2000, dated 18.04.2009, seeking opinion on the representation of the petitioner in view of the order passed in the abovesaid writ petitions. Based on the above proceedings, it is the contention of the learned counsel for the petitioner that so far no action has been taken and no communication has been received by the petitioner from the respondents.

4. Under such circumstances, the respondents are directed to pass further orders based on the proceedings dated 15.03.2010 of the Secretary and General Manager of the Tamil Nadu Water and Drainage Board, Chepauk, Chennai, within a period of two weeks from the date of receipt of a copy of this order.

Accordingly, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CSI)

/True Copy/

Sub Assistant Registrar

nbi

To

1) The Chairman and Managing Director,
Tamilnadu Water and Drainage Board,
Chepauk, Chennai.

2) The Superintending Engineer,
Tamilnadu Water and Drainage Board,
Tiruchy-Pudukottai Circle,
Tiruchirappalli.

3) The Executive Engineer,
Tamilnadu Water and Drainage Board,
Rural Water Scheme Division,
Permbalur.

+1cc to Mr.K.Muthuramalingam Advocate Sr.No. 57575

+1cc to Mr.S.Muthukrishnan Advocate Sr.No. 56801

JAM/24.10.16/SKS-RR/2p-6c