

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.02.2017

CORAM:

THE HONOURABLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.10645 of 2011

S.Jayaselan

.. Petitioner

vs.

1.The Secretary to Government,
Housing and Urban
Development Department,
Secretariat Fort St.George,
Chennai - 9.

2.The Member Secretary,
Chennai Metropolitan Development
Authority, Gandhi Irwin Raod,
Egmore, Chennai - 600 008.

3.The Chief Administrative Officer,
Marketing Management Committee,
Koyambedu Wholesale Market,
Chennai -92.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to regularise the service of the petitioner as Mazdoor or any other equivalent post with effect from 01.06.2000 with all consequential benefit including seniority arrears of pay etc.,.

For petitioner : Mr.R.Syed Mustafa

For respondents 1 & 3 : Mr.A.Rajaperumal,
Additional Government Pleader

For 2nd respondent : Mr.N.Sampath,
Standing Counsel for CMDA

ORDER

According to the petitioner, he had been working from 01.06.2000 on NMR basis in the capacity of Mazdoor and in the year 2005, he was directed to function as Market Supervisor. Suddenly, he was not permitted to attend the work. Therefore, he made a representation on 21.4.2011 to the third respondent seeking to offer employment and regularise his service.

2. The learned Standing Counsel for the third respondent submitted that it is not the third respondent who is competent to deal with the subject matter but the Chief Executive Officer, Chennai Metropolitan Development Authority, Chennai. Therefore, if the petitioner has any grievance with regard to his employment, he has to approach the competent authority, viz., the Chennai Metropolitan Development Authority, Chennai. If any such representation is received by the Chief Executive Officer of the CMDA, the same will be considered by him in accordance with law.

3. Considering the above fact, without going into the merits of the case, liberty is granted to the petitioner to file an appropriate application/representation to the Chief Executive Officer, CMDA, within a period of 3 weeks from the date of receipt of a copy of this order. If any such application/representation is made to the Chief Executive Officer, CMDA, he shall consider the same on merits and in accordance with law as expeditiously as possible.

4. The Writ Petition is disposed of, with the above direction. No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

asvm

To

1.The Secretary to Government,
Housing and Urban Development Department,
Secretariat Fort St.George, Chennai - 9.

2.The Member Secretary,
Chennai Metropolitan Development Authority,
Gandhi Irwin Road, Egmore, Chennai - 600 008.

3.The Chief Administrative Officer,
Marketing Management Committee,
Koyambedu Wholesale Market, Chennai - 92.

Copy to: The Chief Executive Officer,
Chennai Metropolitan Development Authority,
Chennai.

+lcc to Mr.N. Sampath, Advocate, S.R.No.10758

+lcc to Mr.Syed Mustafa, Advocate, S.R.No.11123

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LRS(CO)

EU 4.4.17