

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.01.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.632/2017

- 1.P.Kalaiselvan
- 2.V.Thiru Moorthy
- 3.M.Ramamoorthy
- 4.D.Moorthy @ Krishna Moorthy
- 5.P.Selvan
- 6.R.Gandhi
- 7.A.Murugesan
- 8.K.Maathu
- 9.M.Raja
- 10.M.Ramakrishnan
- 11.N.Subramanian

...Petitioners

Vs

- 1.The Secretary,
State of Tamil Nadu
Public Works Department
Fort St George, Chennai-9.
- 2.The Chief Engineer [General]
& Engineer in Chief WRO
Chepauk, Chennai-5.
- 3.The Superintending Engineer
Public Works Department,
Salem-7.
- 4.The Executive Engineer, WRP/PWD
Public Works Department,
Mettur Dam Division, Mettur Dam-1, Salem.
- 5.The Assistant Executive Engineer WRO/PWD
Public Works Department, Stanley Dam
Sub Division, Mettur Dam, Salem 636401.

..Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus directing the respondents to consider the claim of the petitioners as annexed to the writ petition for regularization

of their service on completion of 10 years of NMR/Casual Labourers services as per G.O.2D.No.29 OWD [C2] Department, dated 09.02.2016 on the subject, on the basis of representation dated 09.12.2016 with effect from their initial appointment within a time to be stipulated by this Court.

For Petitioners : Ms.S.Esairani Narasimman
For R1 to R5 : Mr.K.Dhananjayan, Spl.GP

ORDER

By consent, the writ petition is taken up for final disposal. Mr.K.Dhananjayan, learned Special Government Pleader accepts notice on behalf of the respondents.

2 The petitioners would state that they are working in Mettur Dam Division under the control of WRO/Public Works Department, as Casual Labourers from the year 1987 and claims to have been discharging their duties continuously even without any artificial break and as such, they should be brought into regular time scale of pay and in this regard, very many proposals and recommendations have been sent and however, it failed to invoke any kind of response. The petitioners would further state that as per the Policy Decision, the services of the Casual Labourers / NMR workers who had completed 10 years of services, have been regularised through G.O.Ms.No.334 and G.O.Ms.No.134, Public Works Department dated 19.10.2007 and 07.05.2010 respectively and some of them had also approached this Court, and in compliance of the order, the very same Department in G.O.[2D] No.29, Public Works [C2] Department, dated 09.02.2016, regularised the services of the persons similarly placed like that of the petitioners and therefore, the petitioners came forward to file the present writ petition.

3 Heard the submissions of the learned counsel for the petitioners and Mr.K.Dhananjayan, learned Special Government Pleader appearing for the respondents.

4 Though the petitioner has prayed for a larger relief, this Court, in the light of the facts and circumstances and without going into the merits of the claim projected by the petitioners, either in their joint representation dated 09.12.2016 or in this writ petition, directs the respondents 2 to 5 to consider and dispose of the petitioners' joint representation dated 09.12.2016 on merits and in accordance with law and pass orders within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

5 The writ petition stands disposed of with the above direction. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

Ap

To

- 1.The Secretary,
State of Tamil Nadu, Public Works Department
Fort St George, Chennai-9.
 - 2.The Chief Engineer [General]
& Engineer in Chief WRO, Chepauk, Chennai-5.
 - 3.The Superintending Engineer
Public Works Department, Salem-7.
 - 4.The Executive Engineer, WRP/PWD
Public Works Department,
Mettur Dam Division, Mettur Dam-1, Salem.
 - 5.The Assistant Executive Engineer WRO/PWD
Public Works Department, Stanley Dam
Sub Division, Mettur Dam, Salem 636401.
- +lcc to Mr.Esairani Narasimman, Advocate, S.R.No.2816
+lcc to the Government Pleader, S.R.No.2615

GJN(CO)
GN(12/01/2017)

सत्यमेव जयते

W.P.No.632/2017

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