

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 27.11.2017

Coram

THE HON'BLE MR.JUSTICE RAJIV SHAKDHER  
&  
THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

W.P.Nos.30329 to 30340 of 2017

- 1 P.LAKSHMANAN ... PETITIONER in WP No.30329 of 2017  
S/O.K.PONNUSAMY 24/19 SOUTH 5TH STREET  
KUMARANANDAPURAM TIRUPPUR
- 1 K.SURESH KUMAR ... PETITIONER in WP No.30330 of 2017  
S/O.V.KATHIRESAN  
KANNAMANGALAMPATTI POST  
SINGAMPUNARI VIA  
THIRUPPATHUR TALUK  
SIVAGANGAI DISTRICT
- 1 V.BALA ARJUNAN ... PETITIONER in WP No.30331 of 2017  
S/O.VEDHAMANICKAM  
13 KONDASAMY LAYOUT II STREET  
AMMANKULAM PULIAKULAM POST  
COIMBATORE-45
- 1 A.IQBAL ... PETITIONER in WP No.30332 of 2017  
S/O.AHAMED ROWTHER  
7/9 KARATANKADU 1ST STREET  
DHARMAPURAM ROAD TIRUPPUR
- 1 P.POONGODI ... PETITIONER in WP No.30333 of 2017  
W/O.KARUPPUSAMY MAIN ROAD  
ALUKKULI GOBICHETTIPIALAYAM POST  
ERODE DISTRICT
- 1 J.S.AMALA MALLIHA ... PETITIONER in WP No.30334 of 2017  
W/O.FLACID NORBERT  
43C IYER LAYOUT 13TH STREET

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SINGANALLUR COIMBATORE- 641 005

- 1 R.ALAMELU ... PETITIONER in WP No.30335 of 2017  
W/O.S.VENKATESH  
SRI MURUGU AGENCIES OPP. KONGU SCHOOL  
ANGERIPALAYAM ROAD TIRUPPUR
- 1 S.KAVITHA ... PETITIONER in WP No.30336 of 2017  
W/O.T.NAVANEETHAM  
NO.77 MANGARAIAMMAN  
2ND STREET VIJAYAPURAM POST- 641 606
- 1 P.VASUKI ... PETITIONER in WP No.30337 of 2017  
W/O.P.SASIKUMAR  
DOOR NO.1 GNANAPURAM  
VEERAPPANCHATHIRAM POST ERODE- 638 004
- 1 K.MARUDHAVANAN ... PETITIONER in WP No.30338 of 2017  
S/O.K.KARUPPUSWAMY  
12-B J.P.NAGAR PRESS COLONY  
COIMBATORE - 641 019
- 1 P.MOORTHIRAJ ... PETITIONER in WP No.30339 of 2017  
S/O.M.PACHAMUTHU  
30 BHARATHIYAR NAGAR  
DHARAPURAM ROAD KANGAYAM TALUK  
TIRUPPUR DISTRICT
- 1 S.THANGAMANI ... PETITIONER in WP No.30340 of 2017  
W/O.THANGAVEL  
13/120 AMMAN NAGAR  
RAKKIYAPALAYAM AVINASHI- 641 654

सत्यमेव जयते  
Vs.

- 1.The Principal District Judge,  
Tiruppur District, Tiruppur. ... 1<sup>st</sup> Respondent in all WP's
- 2.The II Additional District Judge,  
Tiruppur District, Tiruppur. ... 2<sup>nd</sup> Respondents in WP.30329,  
30322
- 3.The District Munsif,  
Kangayam, Tiruppur District.  
... 2<sup>nd</sup> Respondent in  
WP.30330/17, 30331 and 30333/17

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1<sup>st</sup> respondent to consider the petitioner for appointment to any other suitable post which is not required to be filled up through the TNPSC, in the light of the orders dated 10.06.2009 passed by this Court in W.P.Nos.9710 & 10189 of 2009.

For Petitioner : Mr.P.Rajendran

For Respondents : Mr.S.Kaithamalai Kumaran  
(In all W.Ps')

COMMON ORDER

(Order of the Court was made by RAJIV SHAKDHER, J)

1. Issue notice. Mr.Kaithamalai Kumaran, accepts notice on behalf of the respondents.

1.1. With the consent of counsel for the parties, the writ petitions are taken up for hearing and final disposal.

2.Mr.Rajendran, who appears for the petitioner in the captioned writ petitions, says that the prayers made in the writ petitions are common.

2.1. Therefore, for the sake of convenience, the prayer made in W.P.No.30329 of 2017, is extracted hereafter:

"... to issue an appropriate order, directions or writ including a Writ of Mandamus directing the first respondent to consider me for appointment to any other suitable post which is not required to be filled up through the TNPSC, in the light of the orders dated 10.06.2009 passed by this Court in W.P.Nos.9710 & 10189 of 2009 and render Justice."

3. As would be evident from the prayer, the petitioners, who have been appointed temporarily to various posts, seek regularization in the light of the orders dated 10.06.2009 passed by this Court in W.P.Nos.9710 & 10189 of 2009.

3.1.The petitioners comprise of persons, who have been appointed to the post of Typists, Steno Typists and Junior Assistants.

4. It is the case of the petitioners that they were not appointed pursuant to a selection process conducted by the Tamil Nadu Public Service Commission. Their appointments were secured, albeit, temporarily, by having notification being issued in the newspaper and calling for eligible candidates from the employment exchange.

4.1. It is also the case of the petitioners that they were subjected to written examination and an interview and were finally appointed temporarily, after the rules of reservation and communal roster are followed.

5. It is in this background that the petitioners, we are informed, have made independent and separate representations to the respondents. These representations, which were made between April and May 2017, stand appended to the typed set of papers from page nos.51 to 73 in W.P.No.30329 of 2017. Similar representations are appended in other writ petitions as well.

5.1. The petitioners submit that respondents have not examined and disposed of their representations.

6. In view of the aforesaid position, we are inclined to direct the respondents to dispose of the pending representations concerning all petitioners, at the earliest, taking into account the impact of the judgment of this Court, to which we have made a reference above.

6.1. It is ordered accordingly.

7. Needless to say, this exercise will be carried out, at the earliest, though, not later than eight (8) weeks from today. Copies of the orders passed by the respondents will be furnished to the petitioners. The petitioners, thereafter, will have the liberty to assail the decision, if it is adverse to their interest, albeit, in accordance with law.

8. These Writ Petitions are, accordingly, disposed of. There shall, however, be no order as to costs.

Sd/-  
Deputy Registrar

//True copy// सत्यमेव जयते

Sub Assistant Registrar

vsm

To

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1.The Principal District Judge,  
Tiruppur District, Tiruppur.

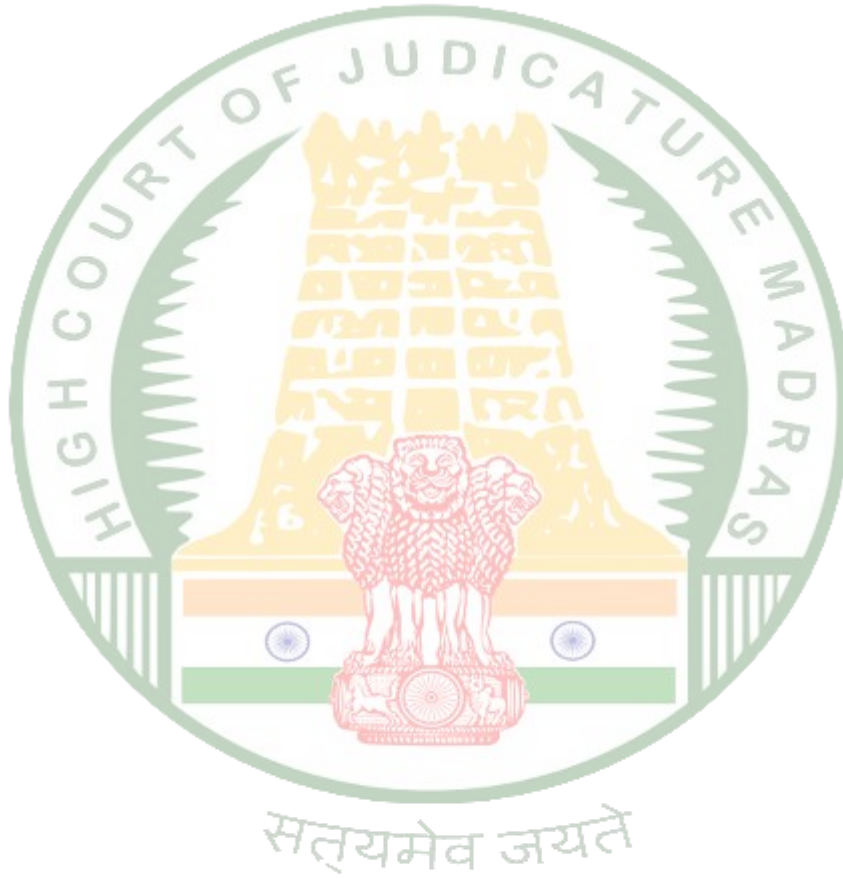
2.The II Additional District Judge,  
Tiruppur District, Tiruppur.

3.The District Munsif,  
Kangayam, Tiruppur District.

+lcc to Mr.P.Rajendran, Advocate SR.No.84618

W.P.Nos.30329 to 30340 of 2017

GN(22/12/2017)



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