

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.07.2017

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.8556 of 2017
and
W.M.P.No.9351 of 2017

- 1.P.Rajendran
- 2.D.Sachithanantham
- 3.A.Murugan
- 4.B.Velan
- 5.S.Suresh
- 6.G.Shanmugam
- 7.P.Moorthy
- 8.A.Subramanian
- 9.R.Nagarajan
- 10.S.Subramani
- 11.S.Shanmugam
- 12.E.Murugan
- 13.B.Shamshath
- 14.T.Valarmathi
- 15.M.Santhi
- 16.K.Mariyammal
- 17.R.Ramu
- 18.S.Vijaya
- 19.M.Krishnamurthy

... Petitioners

1. The Government of Tamil Nadu
Rep. by its Secretary,
Secretariat, Public Works Department,
Fort St.George, Chennai - 9.
2. The Engineer in Chief (Water Resources
Organization) & Chief Engineer (General),
Public Works Department, Chepauk,
Chennai - 5.
3. The Chief Engineer, Chennai Region,
Water Resources Organization,
Public Works Department, Chepauk,
Chennai - 5.

4. The Superintending Engineer,
Water Resources Organization
Public Works Department,
Pennaiyar Basin Circle,
Thiruvannamalai.
5. The Executive Engineer,
Water Resources Organization,
Middle Pennaiyar Basin Division,
Thiruvannamalai.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of MANDAMUS, directing the respondents herein to regularise the service of the petitioners in regular time scale in the respective posts as recommended by fourth and fifth respondent viz. Lr.No.1172/2011/Di.Koo.Pa/ka.2/ dated 03.11.2011 respectively in the light of G.O.(2D) No.29, Public Workds (C2) Department, dated 09.02.2016 on the date when they completed their service of 10 years respectively with all consequential benefits arising thereof with the stipulated period.

For Petitioners : Mr.K.Krishnamoorthy

For Respondents : Mr.K.Dhananjeyan
Special Government Pleader

O R D E R

Heard K.Krishnamoorthy, learned counsel appearing for the petitioner and Mr.K.Dhananjeyan, learned Special Government Pleader appearing for the respondents. With the consent of the learned counsel appearing on either side, the Writ Petition is taken up for final disposal at the admission stage.

2.All the petitioners in this Writ Petition were originally engaged as daily wage employees in the Public Works Department and the learned counsel appearing for the writ petitioners contended that the writ petitioners are working as daily wage employees for more than three decades and inspite of various schemes introduced by the Government for regularization of such daily wage employees, the respondents have totally neglected the claim and plight of these writ petitioners. After continuing in service for more than thirty years, the petitioners came out with this writ petitioner seeking regularization of service.

3.The learned counsel for the petitioner bring it to the knowledge of this Court that the authorities competent have

recommended the cause of the writ petitioners in letters dated 03.11.2011 and 23.11.2011.

4. On a perusal of the letters, the Superintending Engineer, Public Works Department, Water Resources Organization, Tiruvannamalai addressed a letter to the Chief Engineer, Chennai Region, Chepuak, Chennai. All the service details of the writ petitioners were forwarded for consideration to the Chief Engineer. The second recommendation letter dated 23.11.2011 also was addressed to the Principal Chief Engineer. Further details were also furnished for consideration by the Head of the Department. In spite of these detailed recommendations twice sent by the Superintending Engineer, the Chief Engineer and the Government have not taken any action to redress the grievances of the petitioners regarding the regularization of their services.

5. Considering the length of service put in by the petitioner and the plight of these poor employees, who were continuing more than three decades as daily wages, this Court is inclined to issue suitable direction to the respondents.

6. Accordingly, the respondents are directed to consider the recommendations dated 03.11.2011 and 23.11.2011 sent by the Superintending Engineer and take appropriate decision and pass orders in this regard on merits and based on the Government Orders, within a period of twelve weeks from the date of receipt of a copy of this order.

7. The Writ Petition stands disposed of accordingly. Consequently, connected Miscellaneous Petition is closed. No orders as to costs.

Sd/-

Assistant Registrar (CS VIII)

//True Copy//

Sub Assistant Registrar

ah/rpa

To

1. The Secretary,
Government of Tamil Nadu
Secretariat, Public Works Department,
Fort St. George, Chennai - 9.

2. The Engineer in Chief (Water Resources Organization) & Chief Engineer (General),
Public Works Department, Chepauk,
Chennai - 5.

3. The Chief Engineer, Chennai Region,
Water Resources Organization,
Public Works Department, Chepauk,
Chennai - 5.

4. The Superintending Engineer,
Water Resources Organization
Public Works Department,
Pennaiyar Basin Circle, Thiruvannamalai.

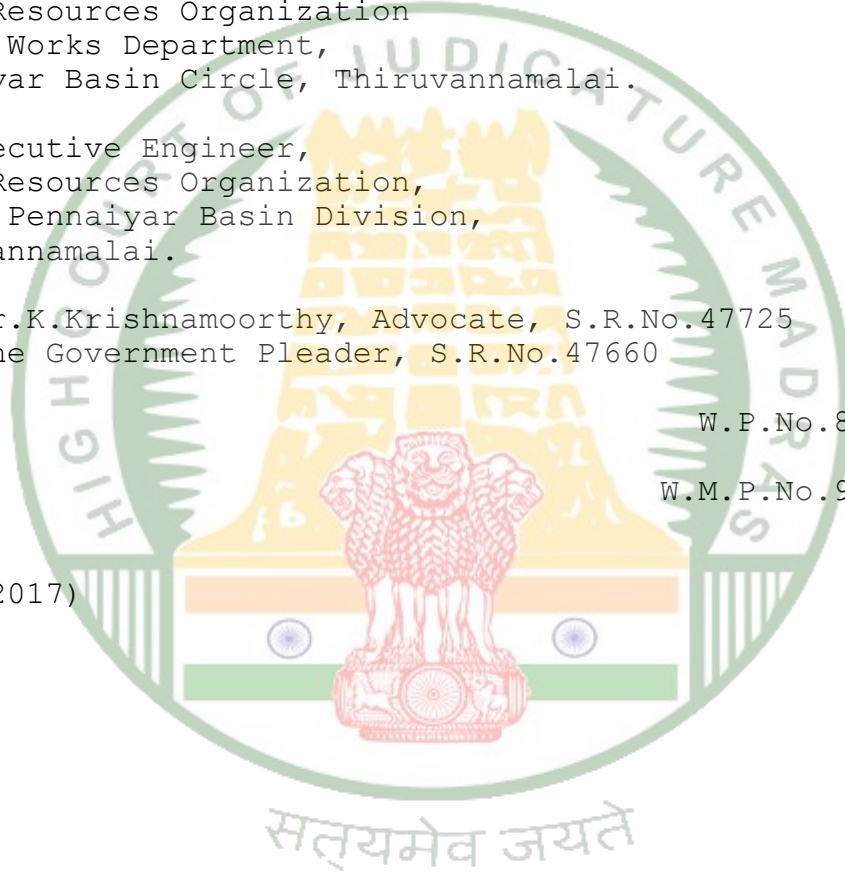
5. The Executive Engineer,
Water Resources Organization,
Middle Pennaiyar Basin Division,
Thiruvannamalai.

+1cc to Mr.K.Krishnamoorthy, Advocate, S.R.No.47725

+1cc to the Government Pleader, S.R.No.47660

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