

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.Nos.10911 to 10918 of 2017

K.Jakir Ussain .. Petitioner in W.P.No.10911 of 2017
P.Brinda .. Petitioner in W.P.No.10912 of 2017
R.Balamurugan .. Petitioner in W.P.No.10913 of 2017
G.Vilvanathan .. Petitioner in W.P.No.10914 of 2017
K.Raman .. Petitioner in W.P.No.10915 of 2017
D.Uma .. Petitioner in W.P.No.10916 of 2017
G.Balaji .. Petitioner in W.P.No.10917 of 2017
S.Vijayalakshmi .. Petitioner in W.P.No.10918 of 2017

-vs-

1. The State of Tamil Nadu
represented by
Principal Secretary to Government
Rural Development and
Panchayat Raj (CGS 1) Department
Fort St.George
Chennai 600 009
2. The Commissioner
The Rural Development and
Panchayat Raj
Panagal Building
Saidapet, Chennai 600 015
3. The Director
The Rural Development and
Panchayat Raj
Panagal Building
Saidapet, Chennai 600 015
4. The District Collector
Tiruvannamalai
Tiruvannamalai District
..Respondents in all the writ petitions

Petitions under Article 226 of the Constitution of India,
praying for the issue of a Writ of Mandamus, directing the
respondents to consider the petitioners' representations dated
30.03.2017 and 1/4/2017

For Petitioners :: Mr.G.Mutharasu
in all the petitions

For Respondents :: Mr.V.Jayaprakash Narayanan
in all the petitions Special Government Pleader

ORDER

The petitioners were all appointed as Computer Assistants by way of out-sourcing under the respondents in terms of the Mahatma Gandhi National Rural Employment Guarantee Scheme on a consolidated pay of Rs.4,000/- per month. Subsequently, on 4.8.2009, their pay was re-fixed at Rs.7,500/- per month. Again the respondents re-fixed their pay at Rs.11,000/- per month on 15.6.2010. With the aforementioned benefits, the petitioners are all working as Computer Assistants for more than ten years. Thereafter, by proceedings dated 24.5.2013, the second respondent also addressed the fourth respondent for furnishing the list of Computer Assistants senioritywise for absorption in the sanctioned vacancies. It is at this stage the first respondent has issued G.O.(Ms.)No.37, Rural Development and Panchayat Raj (E5) Department dated 22.3.2017 for absorption of 906 Computer Assistants working under the Mahatma Gandhi National Rural Employment Guarantee Scheme as Junior Assistants by way of conducting a special qualifying test through TNPSC and the said Government Order also gives priority to the candidates who were sponsored from the employment exchange and subsequently completed five years of service. But, in the cases on hand, since the petitioners are all working for more than ten years, hence, they have made representations to the respondents to allow them to take part in the special qualifying test for the purpose of absorption to the said post by considering their continuous employment.

2. Mr.V.Jayaprakash Narayanan, learned Special Government Pleader takes notice on behalf of the respondents.

3. Although the petitioners were engaged as Computer Assistants on consolidated pay by way of outsourcing in terms of the Mahatma Gandhi National Rural Employment Guarantee Scheme way back in the year 2006, considering the fact that they are all working for more than ten years, this Court finds no impediment for the respondents to consider their representations. Accordingly, the respondents are directed to consider the representations of the petitioners for allowing them to take part in the ensuing special qualifying test for the post of Junior Assistant as notified in G.O.(Ms.) No.37, Rural Development and Panchayat Raj Department dated 22.3.2017, taking note of their continuous employment, and pass appropriate orders

positively within a period of four weeks from the date of receipt of a copy of this order. With this direction, the writ petitions are disposed of accordingly. No costs.

Sd/-

Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

ss

To

1. The Principal Secretary to Government
Rural Development and
Panchayat Raj (CGS 1) Department
Fort St.George
Chennai 600 009
2. The Commissioner
The Rural Development and
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The Rural Development and
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Saidapet, Chennai 600 015
4. The District Collector
Tiruvannamalai
Tiruvannamalai District
+1cc to Mr.G.Mutharasu,sr.26043
+1cc to Government Pleader sr.26447

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ss(15/5/2017)

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