

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.12.2017

CORAM:

THE HONOURABLE MR.JUSTICE C.T.SELVAM
AND

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

W.P.Nos.32042 to 32045 of 2017

1. The Board of Trustees of
Chennai Port Trust
Rep. By its Chairman,
Rajaji Salai, Chennai.

2. The Secretary,
Chennai Port Trust,
Rajaji Salai,
Chennai.

... Petitioners in All WPs.

-Vs-

1.The State Level Scrutiny Committee/
Principal Secretary to Government,
Adi Dravidar and Tribal Welfare Department,
Secretariat, Chennai-600 009. ...1st Respondent in All WPs.

2.A.Anjali

.... 2nd Respondent in WP.32042/2017

2. V.Raju

.... 2nd Respondent in WP.32043/2017

2. N.Sivasankarababu

.... 2nd Respondent in WP.32044/2017

2. R.Sathyanarayanan

.... 2nd Respondent in WP.32045/2017

Prayer in WP.32042/2017:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st respondent/State Level Scrutiny Committee herein, to complete the enquiry within the time stipulated by this Hon'ble Court with regard to the Status of the 2nd respondent herein based upon the representation of the Petitioner in SCT2/11562/05/GA dated 08.09.2017.

Prayer in WP.32043/2017:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st respondent/State Level Scrutiny Committee herein, to complete the enquiry within the time stipulated by this Hon'ble Court with regard to the Status of the 2nd respondent herein based upon the representations of the Petitioner dated 09.06.2017.

Prayer in WP.32044/2017:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st respondent/State Level Scrutiny Committee herein, to complete the enquiry within the time stipulated by this Hon'ble Court with regard to the Status of the 2nd respondent herein based upon the representation of the Petitioner in SCT2/16570/93/GA dated 09.06.2017.

Prayer in WP.32045/2017:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st respondent/State Level Scrutiny Committee herein, to complete the enquiry within the time stipulated by this Hon'ble Court with regard to the Status of the 2nd respondent herein based upon the representation of the Petitioner in SCT2/Con.390/1986/GA dated 30.08.2017.

For Petitioners
in All WPs. : Mr.R.Karthikeyan

For Respondents : Mr.S.N.Parthasarathy
Government Advocate
For R1 in All WPs.

COMMON ORDER

[Order of the Court was made by C.T.SELVAM, J.]

These writ petitions have been filed seeking direction to the 1st respondent/State Level Scrutiny Committee, to complete the enquiry with regard to the Status of the 2nd respondent based upon the representations of the Petitioner in SCT2/11562/05/GA dated 08.09.2017; SCT2/16570/93/GA dated 09.06.2017 and SCT2/Con.390/1986/GA dated 30.08.2017.

2. Second respondent in all the writ petitions secured appointment in Chennai Port Trust, on the strength of the Community Certificate issued to them indicating that they belong to Konda Reddy Community, Uraly Community and Konda Kapu, which are notified as Schedule Tribes. There were proceedings against the second respondent, resulting in withholding their terminal benefits. Second respondent in all the writ petitions challenged the order withholding their terminal benefits before this Court in WP.Nos.13687 of 2005, 9825 of 1999, 50316 of 2006 and 2484 of 1994 respectively. This Court, having found that the claim made by the second respondent in all the writ petitions, with regard to community status were pending before the State Level Scrutiny Committee, negatived the claim with regard to payment of terminal benefits and directed the State Level Scrutiny Committee to dispose of the matters. It is the grievance of the petitioners that notwithstanding the direction given by this Court earlier, follow up action was not taken by the State Level Scrutiny Committee, for disposal of the proceedings regarding the community status of the second respondent in all

the writ petitions. The petitioners are, therefore, before this Court.

3. We have heard learned counsel for petitioners and learned Government Advocate for first respondent. Since the earlier proceedings were initiated by the second respondents in all the writ petitions and the matters are now pending before the State Level Scrutiny Committee, we dispense with the notice to the second respondent in all the writ petitions.

4. The documents available on record clearly indicate that direction was given by this Court in WP.Nos.13687 of 2005, 9825 of 1999, 50316 of 2006 and 2484 of 1994 to the State Level Scrutiny Committee to dispose of the proceedings. Even today, the proceedings are pending before the State Level Scrutiny Committee.

5. We direct the first respondent to conclude the proceedings initiated with respect to the community claim made by the second respondents in all the writ petitions as expeditiously as possible and in any case, within a period of twelve weeks from the date of receipt of a copy of this order. It is needless to point out that reasonable opportunity should be given to the second respondents in all the writ petitions also before final orders are passed by the first respondent.

6. These writ petitions are disposed of with the above direction. No costs.

Sd/-
Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

kmi

To
The State Level Scrutiny Committee/
Principal Secretary to Government,
Adi Dravidar and Tribal Welfare Department,
Secretariat, Chennai-600 009.

+ 4 ccs to Mr. R. Karthikeyan, Advocate SR.87833 to 87886

W.P.No.32042 to 32045 of 2017

KK(CO)
EU(7/02/2018)