

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.01.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.1257 of 2017
and WMP.No.1184 of 2017

- 1.E.Parimala
- 2.I.Eswaran
- 3.D.Selvi
- 4.S.Mallika
- 5.A.Latha
- 6.R.Mallika
- 7.A.Vengaiyan
- 8.M.Veerayi
- 9.M.Rami

....Petitioners

vs.

1. The Secretary to Government of Tamil Nadu,
The Municipal Adi Dravidar Welfare Department,
Secretariat, Fort St.George,
Chennai-600 009.
2. The Principal Secretary,
Finance Department,
Fort St.George,
Chennai-600 009.
3. The Commissioner of Municipality Administrative,
Chepauk, Chennai-5.
4. The Commissioner,
Salem Municipality,
Salem.

...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 regularize their services with effect from 05.01.2000 for all purposes including the payment of terminal benefits and all other accrued benefits on attending the age of superannuation and to grant the benefit of pay revisions with all monetary arrears.

For Petitioner : Mr.R.Thirumoorthy
For Respondents : Mr.P.Chinnadurai,
Government Advocate for R1 to R3
Mrs.K.Bhuvaneswari for R4

O R D E R

By consent, this writ petition is taken up for final disposal.

2. Following are the service particulars of the petitioners:

Sl.No	Name	Date of Appointment on daily wages	Date of deemed regularisation	Employment Exchange Seniority number	Employment Reg.No.
1	E.Parimala	10.07.1990	05.01.1999	121	1967
2	I.Eswaran	09.06.1989	05.01.1999	14	4764/1986
3	D.Selvi	31.05.1990	05.01.1999		2510
4	S.Mallika	03.09.1991	05.01.1999	102	5151
5	A.Latha	10.07.1990	05.01.1999	118	468
6	R.Mallika	29.02.1984	05.01.1999		4087/83
7	A.Vengaiyan	21.05.1990	05.01.1999	14	10955/1988
8	M.Veerayi	10.07.1990	05.01.1999	106	1827
9	M.Ramu	07.01.1988	05.01.1999		4841/1984

According to the petitioners, they belong to socially backward community and they are employed as sanitary workers in different divisions of the fourth respondent Corporation and they have put in more than 13 years of service and immediately after completion of 480 days of service, their services ought to have been regularized, but it is yet to be done.

3. The learned counsel appearing for the petitioners would submit that in respect of persons similarly placed, who are employed in Engineering Division of the fourth respondent Corporation, their services have been regularized and they were granted regular Time Scale of Pay. The petitioners, in this regard, has also submitted individual representations dated 28.09.2016 to the respondents 1, 3 and 4 and in spite of receipt and acknowledgment, no orders has been passed and therefore, came forward with this writ petition.

4. Mr.P.Chinnadurai, learned Government Advocate accepts notice on behalf of the respondents 1 to 3 and Mrs.K.Bhuvaneshwari, learned counsel, accepts notice on behalf of the fourth respondent and on instructions, would submit that orders will be passed on the petitioners' representations at an early date and will be communicated to the petitioners also.

5. Though the petitioners pray for larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the same, permits the petitioners to submit a fresh representation along with a copy of this order to the fourth respondent within a period of two weeks from the date of receipt of a copy of this order and the fourth respondent, on receipt of the same, is directed to consider and pass orders on merits and in accordance with law within a period of eight weeks thereafter and communicate the decision taken, to the petitioners.

6. This Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

jvm

Sub Assistant Registrar

To

1. The Secretary to Government of Tamil Nadu,
The Municipal Adi Dravidar Welfare Department,
Secretariat, Fort St.George,
Chennai-600 009.
2. The Principal Secretary,
Finance Department,
Fort St.George,
Chennai-600 009.
3. The Commissioner of Municipality Administrative,
Chepauk, Chennai-5.
4. The Commissioner,
Salem Municipality,
Salem.

+1cc to Mr.Thirumoorthy, Advocate, S.R.No.3778
+1cc to Mr.Bhuvaneshwari, Advocate, S.R.No.3734
+1cc to the Government Pleader, S.R.No.3751

KS(CO)
RS(09/02/2017)

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