

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.06.2017

CORAM:

THE HON'BLE MR. JUSTICE T.RAJA

W.P.Nos.16074 to 16077 of 2017

R.Vasumathi	.. Petitioner in W.P.No.16074/17
G.Radhika	.. Petitioner in W.P.No.16075/17
P.Jayachitra	.. Petitioner in W.P.No.16076/17
C.Suthakaran	.. Petitioner in W.P.No.16077/17

-vs-

1. The State of Tamil Nadu,
Rep. By its Secretary,
Rural Development and Panchayat Raj Dept.,
Fort St. George, Chennai - 9.
2. The Commissioner / Director of Rural Development,
Panagal Building, Saidapet,
Chennai - 15.
3. The District Collector,
Kanchipuram District,
Kanchipuram. ... Respondents in all the WPs.

Common Prayer : Writ Petitions filed under Article 226 of the Constitution of India seeking a writ of mandamus to direct the respondents to forthwith consider the claim of the petitioners for absorption as Junior Assistants/Computer Assistants in any of the existing vacancies with all consequential service benefits thereto by allowing them to take part in the ensuing Special Qualifying Test to be held pursuant to G.O.Ms.No.37, Rural Development and Panchayat Raj (E5) Department, dated 22.03.2017 and by publication of the results thereto.

For petitioners	: Mr.L.Chandrakumar
For Respondents	: Mr.T.M.Pappiah, Spl.GP

COMMON ORDER

By way of filing these writ petitions, the petitioners seek a direction to the respondents to forthwith consider their claim for absorption as Junior Assistants/Computer Assistants in any of the existing vacancies with all consequential service

benefits thereto by allowing them to take part in the ensuing Special Qualifying Test to be held pursuant to G.O.Ms.No.37, Rural Development and Panchayat Raj (E5) Department, dated 22.03.2017 and by publication of the results thereto.

2. The petitioners were 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.11,500/- per month. 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 respondents/District Collectors for furnishing the list of Computer Assistants seniority-wise for absorption in the sanctioned vacancies.

3. 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, 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.

4. Mr.T.M.Pappiah, learned Special Government Pleader takes notice on behalf of the respondents.

5. 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 2007, 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.

6. With this direction, the writ petitions are disposed of accordingly. Consequently, connected miscellaneous petitions are closed. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary,
Rural Development and Panchayat Raj Dept.,
Fort St. George, Chennai - 9.
2. The Commissioner / Director of Rural Development,
Panagal Building, Saidapet,
Chennai - 15.
3. The District Collector,
Kanchipuram District, Kanchipuram.

+4cc to Mr.L.Chandrakumar, Advocate, S.R.No.16074
+1cc to the Government Pleader, S.R.No.44752

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NMI (CO)
CS/14/07/17

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