

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.06.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.16180 of 2017

R.Poovanarathinam

... Petitioner

Vs

1. The State of Tamil Nadu
rep.by its Principal Secretary
Municipal Administration and
Water Supply Department
Secretariat, Fort St.George
Chennai 600 009

2. The Director of Town Panchayat
Kuralagam
Chennai 600 108

... Respondents

Petition under Article 226 of the Constitution of India,
praying for the issue of a Writ of Mandamus, directing the
respondents to absorb the petitioner in the post of Work
Inspector in the light of the judgment passed in W.P.No.5203 of
2016 dated 03.03.2016.

For Petitioner : Mr.R.Singaravelan
Senior Counsel for
Mr.G.Thalaimutharasu

For Respondents : Mr.M.Dig Vijaya Pandian
Additional Government Pleader

ORDER

The petitioner claims to be one among the 54 persons in
whose favour an order dated 3.3.2016 has been passed by this
Court in W.P.No.5203 of 2016, making it clear that the
respondents should consider all the 54 persons working as
Technical Assistants to the post of Work Inspector, as it is
considered as a vanishing category. In the light of the above,
the petitioner gave his representation dated 9.3.2016. In the
meanwhile, similarly placed persons came to this Court with
W.P.Nos.13522 to 13525 of 2016 seeking a mandamus directing the
respondents to absorb them in the post of Work Inspector, in the
light of the order passed in W.P.No.5203 of 2016 dated 3.3.2016.

This Court, by order dated 12.4.2016, directed the respondents

to consider the case of the petitioners for absorption in the light of the observation made in paragraph-7 of the above said order. Therefore, a similar direction may be given, it is pleaded.

2. Mr.M.Dig Vijaya Pandian, learned Additional Government Pleader, taking notice on behalf of the respondents, brought to the notice of this Court a proceeding dated 14.8.2012 with the list of Technical Assistants employed in work charged establishment to show that the petitioner was working with break of service upto 2006. No doubt, that was a proceeding with regard to the appointment of the petitioner upto 2006. Since a direction was issued on 3.3.2016 in W.P.No.5203 of 2016 to consider the case of 54 persons working as Technical Assistants to the post of Work Inspector, as it is considered as a vanishing category, and a revised proposal has already been made for appointment of 54 Technical Assistants working in Town Panchayats with a request to the Government to appoint the 54 personnel with relaxation of age, qualification, without consulting the employment exchange and also without following the communal rotation, a direction may be given to consider the case of the petitioner.

3. When there was already a revised proposal made by the Director of Town Panchayats to the Additional Chief Secretary to Government, Municipal Administration and Water Supply Department in Roc.No.21950/2008/A1 dated 14.8.2012, the relevant paragraph of which reads as follows,

"At this backdrop, I send herewith revised proposal for appointment of 54 Technical Assistants working in work charged establishment in Town Panchayats and request the Government to issue orders appointing the 54 personnel by relaxaing the age qualification and without consulting the Employment Exchange and also without following the communal rotation."

along with the list of Technical Assistants read with the order passed by me in W.P.No.5203 of 2016 dated 3.3.2016, the respondents are directed to consider the case of the petitioner for absorption in the post of Work Inspector, preferably within a period of two weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

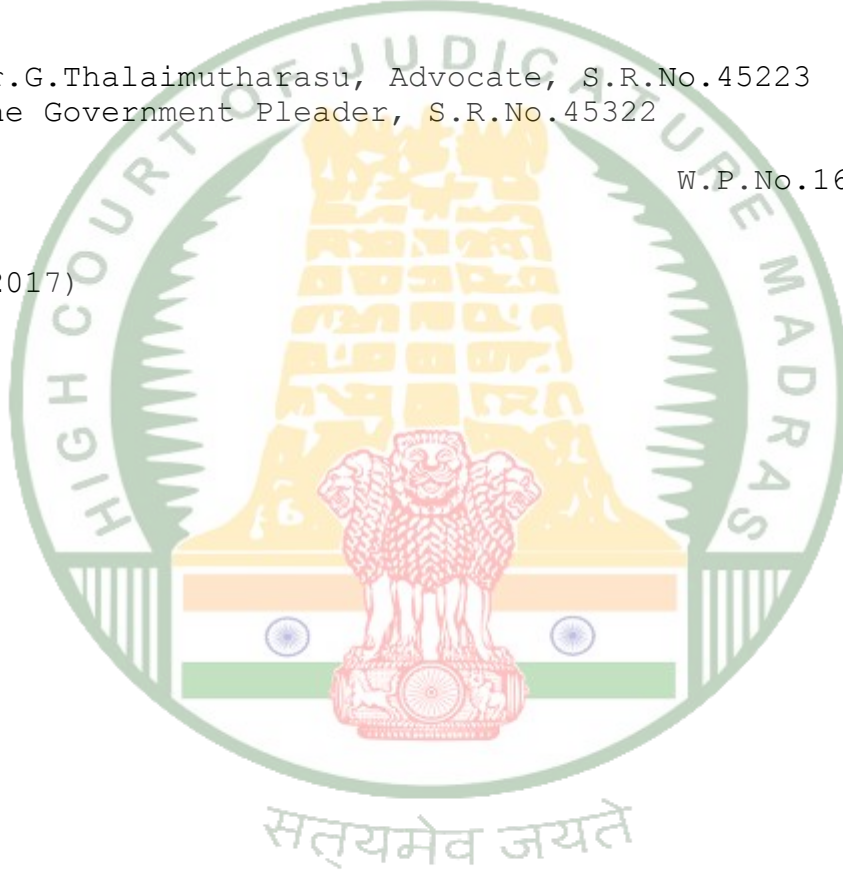
To

1. The Principal Secretary to Government
Municipal Administration and
Water Supply Department
Secretariat, Fort St.George
Chennai 600 009
2. The Director of Town Panchayat
Kuralagam
Chennai 600 108.

+1cc to Mr.G.Thalaimutharasu, Advocate, S.R.No.45223
+1cc to the Government Pleader, S.R.No.45322

W.P.No.16180 of 2017

SJ(CO)
CA(07/07/2017)



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