

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :12.07.2017

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. No.17674 of 2017

in

W.M.P.No.18874 of 2017

1. S.Marimuthu
2. N.Kanniappan
3. K.Govindaraj
4. R.Karunakaran
5. G.Palani
6. M.Banumathy
7. D.A.Williams
8. V.R.Dhamodaran
9. R.Santhi
10. R.John
11. P.Alamelu
12. R.Prem kumar

...Petitioners

.Vs.

1. The State of Tamil Nadu,
Rep. by the secretary,
Higher Education Department,
Fort St. George, Chennai -29
2. The Director of Technical Education,
Guindy, Chennai - 25
3. The Chief Engineer,
Technical Education Department,
Guindy, Chennai - 600 025.
4. The Executive Engineer P.W.D
Technical Education Division.
Chennai - 600 025.

... Respondents

Prayer : Petition filed Under Article 226 of the Constitution of India to issue of Writ of Mandamus, directing the first and second respondents to consider the claim of the petitioners as annexed to the writ petition for regularization of their services on completion of 10 years of NMR/Casual Labourers Services as per G.O.2D No.29 PWD (C2) Department dated

09.02.2016 on the basis of representation dated 03.04.2017 with effect from their initial appointment and within a time stipulated.

For Petitioner : Mr.S.Esairani Narasimman

For Respondents : Mr.C.C.Ranga Rajan
Government Advocate

ORDER

The writ petitioners are working in Technical Education Division as NMRs under the control of Public Works Department.

2.The learned counsel appearing for the writ petitioner submitted that all the writ petitioners are working for more than 16 years and they are not considered for absorption in the permanent vacancies, in spite of the fact that all are qualified and eligible for regularization. In this regard the Government framed various schemes for regularization of the services of Casual labourers/NMRs.

3.The Government issued G.O.M.S.No.334 dated 19.10.2017 through which more than 1000 NMRs were brought under the regular time scale of pay in the permanent posts but, the case of the writ petitioners are not considered. This apart, in G.O.1341 dated 07.05.2010, the Government also regularized as many as 746 NMRs and they are brought under the regular time scale of pay.

4.Such being the factual situation, the case of the writ petitioners are also to be considered along with other NMRs, whose services were already regularized. In this regard the writ petitioners submitted representations dated 24.06.2016 and 03.04.2017. Without going into the merits and demerits of the case, this Court is inclined to direct the first respondent to consider the representations submitted by the writ petitioners on 24.06.2016 and 03.04.2017 and pass orders on merits and in accordance with law within a period of 12 weeks from the date of receipt of a copy of this order.

5.With this direction, the writ petition stands disposed of. Consequently, connected miscellaneous petition is closed. No cost.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

smn/kas

To

1. The secretary,
The State of Tamil Nadu,
Higher Education Department,
Fort St. George, Chennai -9
2. The Director of Technical Education,
Guindy, Chennai - 25
3. The Chief Engineer,
Technical Education Department,
Guindy, Chennai - 600 025.
4. The Executive Engineer P.W.D
Technical Education Division.
Chennai - 600 025.

+1cc to Government Pleader, Advocate, S.R.No.49094
+1cc to M/s.S.Esairani Narasimman, Advocate, S.R.No.48367

सत्यमेव जयते

W.P. No. 17674 of 2017

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MSM(CO)
CU(28/07/2017)