

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.11.2017

CORAM

THE HON'BLE MR.JUSTICE T.RAJA

W.P. No.28650 of 2017

M.P.Subramanian
Public Works Department,
Daily Wage Worker,
Water Resources Development Org.,
Mettu Street, Ayilvadi,
Vandavasi Taluk,
Tiruvannamalai District

Petitioner

Vs.

1. The Chief Secretary,
Tamilnadu Government,
Secretariat, Fort St. George,
Chennai - 600009
2. The Chief Engineer,
Public Works Department,
Chennai Zone, Chepauk,
Chennai - 600005
3. The Executive Engineer (Buildings)
Public Works Department,
Central Pennaiyaru Basin Division
Thiruvannamalai (Opp. Ramanar Ashramam)
Tiruvannamalai District
4. The Asst. Executive Engineer,
Public Works Department,
Central Pennaiyaru Basin Division,
Thandarai house,
Cheyyar - 604 407
5. The Section Officer,
Public Works Department,
Water Resources Development,
Kovilur Divisional Office,
Kovilur, Cheyyar Taluk,
Thiruvannamalai District

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus directing the respondents 1 and 2 to consider petitioner's representation dated 05.05.2017 and regularize his job with retrospective effect.

For Petitioner : Mr.V.R.Appaswamee

For Respondents: Mr. R.A.S.Senthilvel
Additional Government Pleader

O R D E R

With consent on either sides, the main writ petition itself is taken up for final disposal.

2. The petitioner, who joined the service in the respondents' Department, as a daily wager, in the year 1992 has sought for regularisation on the basis of G.O.(Ms)No.334 of Public Works Department dated 19.10.2007. The said Government Order states that 1056 (NMR) daily wage workers, who had completed 10 years of service had to be regularised.

3. It is also the claim of the petitioner that the 4th respondent recommended the petitioner for the post of Assistant in irrigation works by regularising his service, as he has completed 10 years of service as on 30.10.2003 by issuing proceedings dated 30.03.2010. Again, the Divisional Supervisor of Central Pennaiyaaru Basin has sent a letter to the 2nd respondent recommending seven names including the petitioner for regularising his services on 11.06.2010. Since there was no reply from the respondents, the petitioner has come to this Court for a direction under Article 226 Constitution of India.

4. Mr.R.A.S.Senthilvel, learned Additional Government Pleader takes notice for the respondents and seeks eight weeks time to consider the representations of the petitioner.

5. Considering the limited relief sought for in the writ petition, i.e., for regularising his service and without going into the merits of the matter, this Court, hereby directs the 2nd respondent to consider the case of the petitioner on the basis of several representations dated 27.02.2013, 15.10.2013 and 05.05.2017 and in the light of the proposal bearing S.No.4(1) 38327/2012-2 dated 06.08.2012 and pass appropriate orders, on merits and in accordance with law, within a period of eight weeks from the date of receipt of copy of this order.

6. Accordingly, the Writ Petition is disposed of. No costs.

Sd/-
Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

ssd

To

1. The Chief Secretary,
Tamilnadu Government,
Secretariat, Fort St. George,
Chennai - 600009
2. The Chief Engineer,
Public Works Department,
Chennai Zone, Chepauk,
Chepauk, Chennai - 600005
3. The Executive Engineer (Buildings)
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Kovilur Divisional Office,
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Thiruvannamalai District

+ 1 cc to Mr.V.R.Appaswamee Advocate, SR.79474
+ 1 cc to The Govt.Pleader, SR.79916

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NR 05/12/2017