

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2017

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.13377 of 2004

R.Devika

... Petitioner

Vs.

1. State of Tamil Nadu rep by
the Secretary to Government,
Industries Department,
Secretariat, Chennai-9.

2. Chairman and Managing Director,
Tamil Nadu Industrial Development
Corporation Ltd.,
Egmore, Chennai-8.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the second respondent to keep the petitioner's name in the regular attendance register as they have hither to maintained, and act according to the orders which are to be issued by the Government.

For Petitioner : Mr.S.Mani

For Respondent : Mr.A.Zakkir Hussain
Government Advocate for R1
Mr.F.B.Benjamin George for R2

सत्यमेव जयते
O R D E R

Writ Petition has been filed to direct the second respondent to keep the petitioner's name in the regular attendance register as they have hither to maintained, and act according to the orders which are to be issued by the Government.

2. As per the order issued by the Government, the petitioner joined the duty as scavenger on daily rated basis at Rs.15/- per day on 21.03.1995. Thereafter, the daily rated basis was increased to Rs.20,30 and 45. At the time of filing of the writ petition, he was paid Rs.45/- per day.

3. While so, after completion of more than five years of service, on 19.04.2000, he made a representation to the

Corporation and Government for regularisation of his service as per G.O.Ms.No.107 Personnel and Administrative Reforms dated 05.02.1987. The second respondent forwarded the papers to the Government for clarification. But, the same was not clarified. Hence, it again sought for clarification from the first respondent by letter dated 22.11.2000. The Corporation also forwarded a reminder on 18.06.2001 for clarification as to whether the petitioner is entitled for the benefit of Tamil Nadu Industrial Establishment (Conferment of permanent status to workmen Act) on the ground that the petitioner has completed 480 days of continuous service from 01.11.1995 to 31.10.1997. Hence, the petitioner has filed the present writ petition for continuation of service.

4. Learned counsel for the respondent submitted a letter dated 19.01.2007, wherein, the Government granted approval to create a new post of Sweeper-cum-Scavenger in the new scale of pay of Rs.1900-30-2350 in TIDCO and to appoint the petitioner in the said post. Therefore, the prayer of the petitioner has been complied with by the respondent.

5. Since the prayer sought for by the petitioner has been complied with, this court feels that nothing survives for adjudication in the writ petition.

In the result, the Writ Petition is closed. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

gv/gmd

To

1. The Secretary to Government of Tamilnadu,
Industries Department,
Secretariat, Chennai-9.
2. The Chairman and Managing Director,
Tamil Nadu Industrial Development
Corporation Ltd.,
Egmore, Chennai-8.

+lcc to Mr.F.B.Benjamin George, Advocate, S.R.No.63526

+lcc to the Government Pleader, S.R.No.63663

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GR(CO)

CA(12/10/2017)