



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.03.2017

CORAM :

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P(MD)No.3576 of 2017

WEB COPY

- 1)N.Parthasarathy
- 2)S.Sangaranarayanan
- 3)M.Balasubramanain
- 4)J.Gnana Arokiarajan

... Petitioners

vs.

- 1)The State of Tamil Nadu,
Rep. by the Secretary,
Public Works Department,
Fort St.George,
Chennai-600 009.

- 2)Engineer-in-Chief cum Chief Engineer (General)
Chepauk, Chennai-600 005.

- 3)The Chief Engineer,
PWD-WRO, Thallakulam, Madurai.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, to direct the respondents 1 and 2 to take action on the letter of the 3rd respondent in C4/110/2010 (12448)/dated 29.07.2010, regularise their services and pay them salary as per the order of the Supreme Court in Civil Appeal No: 213/2013 (batch).

For Petitioner : Mr.T.S.R.Venkataramana

For Respondents : Mr.M.Rajarajan, Government Advocate

ORDER

The prayer in this writ petition is for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to take action on the letter of the 3rd respondent in C4/110/2010 (12448)/dated 29.07.2010, regularise the services of the petitioners and pay them salary as per the order of the Supreme Court in Civil Appeal No.213/2013 (batch).

2.The petitioners contend that they have been working for more than two decades and getting pittance as salary and they have not been regularised and that similar orders are in their favour and therefore their cases should be considered.



3.The petitioners also brought to the attention of this Court a communication of the 3rd respondent addressed to the 4th respondent dated 29.07.2010, containing the list of daily wagers employed and the number of days worked by them. It is nothing but a recommendation for regularisation and the same has to be considered. More than six years have gone by. No steps have been taken and based on the repeated request, the 2nd respondent by communication dated 13.01.2017 addressed to the 3rd respondent, has informed that there is an intimation from the office of the Hon'ble Chief Minister's Cell with regard to the request of the petitioners and that their cases would be considered, based on the rules.

4.According to the petitioners, even after this communication dated 13.01.2017, forwarding intimation from the Hon'ble Chief Minister Cell, no action has been taken and that they have been languishing for nearly 7 years.

5.Taking note of the fact that the petitioners are above 35 years of age and that they have been rendering service for nearly 2 decades, the respondents are directed to consider the request of the petitioners for regularisation in the light of the abovesaid communication dated 13.01.2017 and also taking note of the earlier decisions of this Court W.P.No.30458 of 2007 dated 19.09.2007 and W.P(MD)No.182 of 2008 dated 08.01.2008 and appropriate decision shall be taken and communicated to the petitioners within a period of two months from the date of receipt of a copy of this order.

With the above direction, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar

nbi

To

1)The Secretary,
State of Tamil Nadu,
Public Works Department,
Fort St.George, Chennai-600 009.

2)The Engineer-in-Chief cum Chief Engineer (General)
Chepauk, Chennai-600 005.



3) The Chief Engineer,
PWD-WRO,
Thallakulam,
Madurai.

+1cc to Mr.T.S.R.Venkata Ramana, Advocate Sr.No. 11760

+1cc to Spl.Government Pleader Sr.No. 11951

JAM/20.03.17 /BS/ 3p-6c

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