

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 20694 of 2006

ORDER:

1) Heard learned counsel for the petitioners, Government Pleader for Endowments and Sri V.T.M.Prasad, learned counsel appearing for respondent No.3.

2) The present writ petition came to be filed with the following prayer:

“issuance of writ of mandamus declaring the action of the respondents in not considering for framing up a scheme for regularization of the services of the petitioners and thereby showing them on contract basis for number of years in spite of existing vacant sanctioned strength and further action of the respondents in paying lesser wages to the petitioners below standard specified rates while paying the other similarly situated candidates the wages as per Standard Specified Rates/ Minimum Wages as highly illegal, arbitrary and violative of Article 14 of the Constitution of India.”

3) The averments in the affidavit filed in support of the writ petition would show that the petitioners are working on contract basis in third respondent Devasthanam continuously for number of years ranging from 5 to 12 years. The payment of wages to the petitioners was at Rs.3/- per each occupied room. It is also stated in the affidavit that though the petitioners are entitled for regularization, the respondents are continuing them on contract

basis. It is also stated that the respondent Institution has extended consolidated wages to other 43 workers as per standard specified rates and at present they have been paid at Rs.1500/- per month which has been extended recently and at present they are being paid Rs.2,550/- vide orders dated 22.02.2005. But due to the action of the respondents in not paying even standard specified rates or consolidated wages, the petitioners have been subjected to disparity in wages. Hence, the petitioners filed the present petition.

4) At the time when the matter is taken up for hearing, learned counsel for the respondents placed on record the Circular No.A1/ 4824/ 2013, dated 05.02.2013 wherein the respondents authorities has fixed the pay of the petitioners at Rs.295/- per day. In view of the above, learned counsel for the petitioners submits that the only issue now left for consideration is with regard to regularization of services. He submits that if the petitioners make a representation seeking regularization, a direction may be given to the authorities to consider the same in accordance with law.

5) Having regard to the submissions made by the learned counsel for the petitioners, the Writ Petition is disposed of giving liberty to the petitioners to make a representation seeking regularization of their services, in which event, the same shall be considered in accordance with law at the earliest. There shall be no order as to costs.

6) Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE C. PRAVEEN KUMAR

25.01.2017
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