

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 4.7.2018

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.A.No.1396 of 2018

1 B.Baskaran

...

Appellant

Vs

1 The Government of Tamil Nadu
rep by its secretary
Public works Department
Fort st. George Chennai-9

2 The Chief Engineer (General)
Public works Department
Chepauk Chennai-5

3 The Chief Engineer
W.R.O. Chennai Region
Chepauk Chennai-5

4 The Superintendent Engineer
WRC Chennai Region
Chepauk Chennai-5

5 The Executive Engineer
Public Works Department
WRC Krishna Water Supply Project
Division-I Chepauk Chennai-5

6 The Executive Engineer
Public works Division
WRC Krishna Water Supply Project
Division-8 Ambattur Chennai-53

...Respondents

Prayer: Writ Appeal filed filed under Clause 15 of the Letters Patent against the order dated 24.5.2018 passed in W.P.No.12887 of 2018 on the file of this court.

The Writ Petition filed under Article 226 of the Constitution of India, to issuance a writ of Mandamus directing the fourth respondent to consider the petitioners representation dated 20.04.2018 and to appoint the petitioner after giving personal hearing to him and pass suitable orders within stipulated time as may be fixed by this Honourable court

For appellant : Ms.G.Devi
For respondents : Mr.P.S.Sivashanmugasundaram
Special Government Pleader

JUDGMENT

(Judgment of the court was made by HULUVADI G.RAMESH, J.)

Heard the learned counsel for the appellant and Mr.P.S.Sivashanmugasundaram, learned Special Government Pleader who takes notice on behalf of the respondents.

2. It appears that the petitioner was engaged by the fourth respondent as driver on daily wages since 1983 and accordingly, he is said to have put in continuous service as NMR for about ten years and sought for regularisation in the light of G.O.Ms.No.134(C) PWD Department dated 7.5.2010 and since his claim was not considered favourably, he filed the writ petition.

3. The learned Single Judge, having observed that the appellant was engaged as long as the work was available, based on the interim order of the Tamil Nadu Administrative Tribunal dated 21.12.2000 in O.A.No.8651 of 2000, but, he has not produced the details as to the final outcome of the said Original Application and he was also no diligent enough to take any steps when he was discontinued in May 2014, dismissed the writ petition.

4. We do not find any illegality in the order passed by the learned Single Judge so as to interfere with the same. However, we make it clear even now, the petitioner could get all the materials with regard to his service particulars and other details as per the requirement of G.O. 134 (C2) PWD Department dated 7.5.2010 and submit the same to the authorities, within a period of one month from the date of receipt of a copy of this judgment and in such event, it is for the respondents to consider the same positively on merits and in accordance with law, within a period of 3 months thereafter. The writ appeal is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

ssk.

To:

- 1 The Government of Tamil Nadu
rep by its secretary
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Fort st. George Chennai-9
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Chepauk Chennai-5
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Division-8 Ambattur Chennai-53

+1cc to Mr.V.Raghupathi, Advocate, S.R.No.43268

+1cc to the Government Pleader, S.R.No.43622 & 43375

W.A.No.1396 of 2018

GSP(06/08/2018)

सत्यमेव जयते

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