

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 21.08.2018

CORAM

THE HONOURABLE MR.JUSTICE SATRUGHANA PUJAHARI

W.P.No.28741 of 2015 and
M.P.No.1 of 2015 & W.M.P.No.15507 of 2018

1. S.Ganesan
2. A.Antony Jeyastephen
3. K.Seetha
4. R.Palaniammal
5. M.Arumugam
6. D.Thunaivan ..Petitioners

Vs

1. The State of Tamil Nadu Rep. by
The Secretary to Government of
Social Welfare of
Nutrition Meal Programme,
Secretary, Chennai - 600 009
2. The Commissioner of Social Welfare,
Chepauk, Chennai - 600 005 ..Respondents

Prayer:-

Writ petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the respondents to regularize the service of the petitioners who are physically handicapped with effect from the date of completion of 2 years of service on consolidated pay in the post held by them as per G.O.Ms.No.151, Social Welfare Dept., dated 16.10.2008 with all monetary and service benefits.

For Petitioners : Mr.R.Singaravelan, Senior Counsel
for M/s.M.Srividhya

For Respondents : Mrs.Thanga Vadhana Balakrishnan
Additional Government Pleader

ORDER

The petitioners who are physically challenged persons were appointed as Date Entry Operators on merit to work in Noon Meal Section in the Collectorate at Virudhunagar on consolidated pay and joined service on 16.10.2009. The Government has made all the employees permanent and regularized their service with effect from 1.1.2006. But services of the petitioners have not yet been regularized, in spite of the fact that Government has issued G.O.Ms.No.151, Social Welfare Department dated 16.10.2008 for regularization of the candidates like the petitioners who are on consolidated pay for more than two years and the petitioners have completed

six years of service. In this regard representation was made to the first respondent but no decision has yet been taken. Hence, the petitioners came to file the writ petition seeking writ of mandamus directing the respondents to regularize the service of the petitioners with effect from the date of completion of two years of service on consolidated pay in view of the provisions contained in G.O.Ms.No.151, Social Welfare Department dated 16.10.2008.

2. The learned counsel for the petitioners submits that though the petitioners have filed the writ petition for regularization of their service, now they seek a direction to the respondents to get their representation disposed of and as such directions be given to the respondents to dispose of the representation of the petitioners.

3. The learned Additional Government Pleader for the respondents submits that if that be so, the respondents shall consider and dispose of the representation, if directed by this Court.

4. Considered the facts and submissions made. The petitioners in this case though have come with the larger relief, but now they have confined their prayer for disposal of their representation. Hence, this Court disposes of this writ petition with a direction to the first respondent to dispose of the representation of the petitioners stated to be pending, in the light of G.O.Ms.No.151, Social Welfare Department within eight weeks on receipt of the copy of this Order. However, the petitioner is at liberty to file a copy of such representation along with the copy of this order before the respondents. Consequently, connected miscellaneous petitions are closed. However, there shall be no order as to costs.

Sd/-

Deputy Registrar (CS)

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary to Government of Social Welfare of Nutrition Meal Programme, The State of Tamil Nadu
Secretary, Chennai - 600 009
 2. The Commissioner of Social Welfare,
Chepauk, Chennai - 600 005.
- + 1 cc to MR. Srividhya, Advocate Sr.57422
+ 1 cc to Government Pleader Sr.57650

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(CS-DR)

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EU (11/09/2018)