

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 26.07.2018

CORAM

THE HONOURABLE MR. JUSTICE SATRUGHANA PUJAHARI

WP.No.19198 of 2018

A.C.Ellappan

..

Petitioner

Versus

1. The Chief Engineer,
Chennai Region,
Public works Department,
Chepauk, Chennai 600 005.

2. The Executive Engineer,
Senbaga Thoppu Water Storage,
Scheme Division,
P.W.D.Polur - 606803

3. The Superintending Engineer,
Schemes Circle, Vellore,
Public Works Department,
Chennai 632 006

..Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India praying for a writ of Mandamus directing the respondents to regularise the service of the petitioner from the date of completion of 10 years of service to grant monetary benefits as said in the G.O.Mo.334 dated 19.10.2007.

For Petitioner : Mr.R.K.Kalpana

For Respondents: Mr.V.Kadhir Velu,
Special Government Pleader

ORDER

The grievance of the petitioner in this case is that he was working as a Irrigation Assistant and after completion of 10 years of service, the petitioner was regularized by G.O Ms.No.334 Public Works (CW) Department dated 19.10.2007. As per the Government Order, the petitioner is entitled to be regularized on the date of completion of 10 years Service. The petitioner service though was regularized from the date of Government Order but not from the date of completion of 10 years

and no monetary benefits with retrospective effect was given to the petitioner. In the meanwhile, the petitioner was superannuated from Service on 31.08.2008. Aggrieved by the same, the petitioner in this regard submitted a representation to the 2nd respondent dated 19.12.2017 requesting the respondent to regularize his service from the date of completion of 10 years of service and to grant monetary benefits from the date of issuance of Government Order. But the same has not been considered by the respondent till date, the petitioner came forward to file this writ petition, seeking the relief of regularization from the date he completed 10 years of service and release the monetary benefits to him.

2. The learned counsel appearing for the petitioner would submit that the case of the petitioner is covered by decision of this Court made in WP No.13833 of 2013 and WP No.25739 of 2013 and as such, prays for appropriate orders.

3. Mr.V.Kadhirvelu, learned Special Government pleader appearing on behalf of the respondents would submit that if the case of the petitioner is covered by the aforesaid decisions of this Court, the respondents will have no objection to consider and dispose of the petitioner's representation submitted in this regard, in the light of the law laid down.

4. Regard being had to the facts and circumstances of this case, this Court dispose of this writ petition with a direction to the respondents to consider the representation of the petitioner dated 19.12.2017 on merits, in the light of the order passed by this Court in the aforesaid writ petitions within a period of eight weeks from the date of receipt of copy of this order, if there is no other legal impediment.

5. With the aforesaid direction, this writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1. The Chief Engineer,
Chennai Region,
Public works Department,
Chepauk, Chennai 600 005.

2. The Executive Engineer,
Senbaga Thoppu Water Storage,
Scheme Division,
P.W.D.Polur - 606803

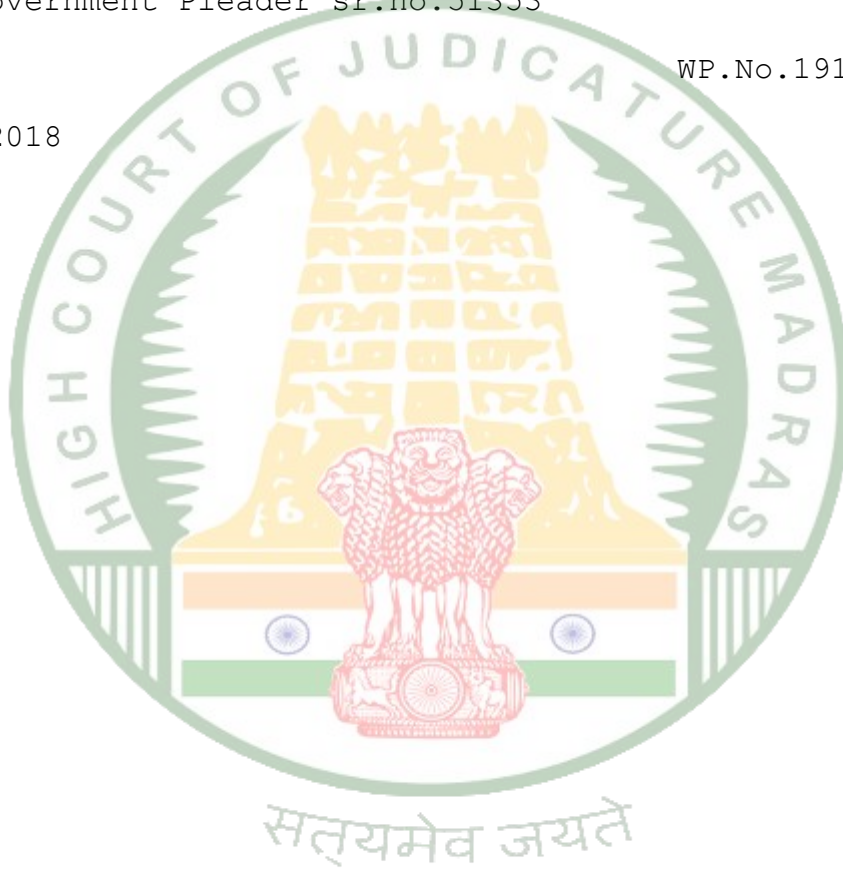
3. The Superintending Engineer,
Schemes Circle, Vellore,
Public Works Department,
Chennai 632 006

+1cc to Mr.R.K.Kalpana, Advocate sr.no.50314

+1cc to Government Pleader sr.no.51353

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