

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.06.2018

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P.Nos.47182, 47342, 47347
& 47353 of 2006

W.P.No.47182 of 2006:

P.Esakkiappan

... Petitioner

-vs-

- 1 THE SECRETARY,
THE STATE OF TAMIL NADU
PWD FORT ST. GEORGE
CHENNAI - 09.
- 2 THE CHIEF ENGINEER (GENERAL)
PWD CHEPAUK CHENNAI - 05.
- 3 THE SUPERINTENDING ENGINEER
PWD PROJECT CIRCLE PALAYAMKOTTAI
TIRUNELVELI.
- 4 THE EXECUTIVE ENGINEER
PWD POGAI RESERVOIR PROJECT ARALVOIMOZHI
KK DISTRICT.

... Respondents

W.P.No.47342 of 2006:

N.Ramakrishnan

... Petitioner

Vs

WEB COPY

- 1 STATE OF TAMILNADU
REP.BY SECRETARY TO GOVT.
PUBLIC WORKS DEPARTMENT,
FORT ST. GEORGE, CHENNAI -9.
- 2 ENGINEER-IN-CHIEF (W.R.O.)
P.W.D. CHEPAUK CHENNAI -5.
- 3 CHIEF ENGINEER (W.R.O.)
CHENNAI REGION, CHEPAUK,
CHENNAI -5.
- 4 SUPERINTENDING ENGINEER (PWD)
PENNAI RIVER BASIN CIRCLE W.R.O.
THIRUVANNAMALAI.
- 5 THE EXECUTIVE ENGINEER (WRO)
PUBLIC WORKS DEPARTMENT,
MEL PENNAIYAR RIVER
BASIN DIVISION DHARMAPURI.
- 6 THE EXECUTIVE ENGINEER (WRO)
PUBLIC WORKS DEPARTMENT,
VATTAR BASIN, DIVISION KARUR.
- 7 EXECUTIVE ENGINEER
BUILDINGS & MAINTENANCE DIVISION
DHARMAPURI.

... Respondents

W.P.No.47347 of 2006:

E.Sivalingam

... Petitioner

-VS-

- 1 STATE OF TAMILNADU
REP.BY SECRETARY TO GOVT. PUBLIC WORKS
DEPARTMENT FORT ST. GEORGE CHENNAI -9.

- 2 ENGINEER-IN-CHIEF (W.R.O.)
P.W.D. CHEPAUK CHENNAI -5.
- 3 CHIEF ENGINEER (W.R.O.)
CHENNAI REGION CHEPAUK CHENNAI -5.
- 4 SUPERINTENDING ENGINEER (PWD)
PENNAI RIVER BASIN CIRCLE W.R.O.
THIRUVANNAMALAI.
- 5 THE EXECUTIVE ENGINEER (WRO)
PUBLIC WORKS DEPARTMENT MEL PENNAIYAR RIVER
BASIN DIVISION DHARMAPURI.
- 6 THE EXECUTIVE ENGINEER (WRO)
PUBLIC WORKS DEPARTMENT VATTAR BASIN
DIVISION KARUR.
- 7 EXECUTIVE ENGINEER
BUILDINGS & MAINTENANCE DIVISION DHARMAPURI.

W.P.No.47353 of 2006:

M.Annadurai

.... Petitioner

-VS-

- 1 STATE OF TAMILNADU
REP.BY SECRETARY TO GOVT. PUBLIC WORKS
DEPARTMENT FORT ST. GEORGE CHENNAI -9.
- 2 ENGINEER-IN-CHIEF (W.R.O.)
P.W.D. CHEPAUK CHENNAI -5.
- 3 CHIEF ENGINEER (W.R.O.)
CHENNAI REGION CHEPAUK CHENNAI -5.
- 4 SUPERINTENDING ENGINEER (PWD)
PENNAI RIVER BASIN CIRCLE W.R.O.
THIRUVANNAMALAI.

- 5 THE EXECUTIVE ENGINEER (WRO)
PUBLIC WORKS DEPARTMENT MEL PENNAIYAR RIVER
BASIN DIVISION DHARMAPURI.
- 6 THE EXECUTIVE ENGINEER (WRO)
PUBLIC WORKS DEPARTMENT VATTAR BASIN
DIVISION KARUR.
- 7 EXECUTIVE ENGINEER
BUILDINGS & MAINTENANCE DIVISION
DHARMAPURI.

...Respondents

Prayer in W.P.No.47182 of 2006: Writ Petition has been filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to regularise the service of the petitioners herein on and after completion of 10 years of services on the basis of the representation dated 28.02.2006 and followed by the reminder dated 06.09.2006 as per the Government Orders and without a time to be stipulated by this Honourable Court.

Prayer in W.P.No.47342 of 2006: Writ Petition has been filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus direct the Respondents to regularise the services of the petitioner with effect from the date of his initial date of joining viz. 05.03.1983 with all consequential and attendant benefits including the benefit of seniority and parity of pay.

Prayer in W.P.No.47347 of 2006: Writ Petition has been filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus direct the Respondents to regularise the services of the

Petitioner with effect from the date of his initial date of joining viz. 03.12.1996 with all consequential and attendant benefits including the benefit of seniority and parity of pay.

Prayer in W.P.No.47353 of 2006: Writ Petition has been filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus direct the Respondents to regularise the services of the Petitioner with effect from the date of his initial date of joining viz. 03.12.1996 with all consequential and attendant benefits including the benefit of seniority and parity of pay.

For Petitioner in
all the W.Ps. : Mr.L.Chandrakumar

For Respondents
in all the W.Ps. : Mr.K.Ravikumar, AGP

COMMON ORDER

Originally these petitions were filed before the Tamil Administrative Tribunal and transferred before this Court and has been re-numbered as Writ Petition.

2. Since the issue involved in these writ petitions are one and the same all the writ petitions were taken up together and common order is being passed in these writ petitions.

3. The case of the petitioners is that the petitioners appointed in a Nominal Muster Roll on different dates. All these petitioners were appointed between 1990-1993 and they had rendered unblemished service records and they have completed ten years of service. As per the Government orders, the respondents have to regularise the services of the petitioners on their completion of ten years. Since the respondents failed to do so, the petitioners were constrained to file the petition seeking regularisation of their services.

4. When the matter is taken up for hearing, learned counsel appearing for the petitioners in all these writ petitions would submit that seeking to regularise their services petitioners have already submitted a representation to the respondents authorities and would submit that it would suffice that if a direction is issued to the respondents to pass appropriate orders within a stipulated time on the representation made by the petitioners.

WEB COPY

5. Heard the learned Additional Government Pleader appearing for the respondents on the submission made by the learned counsel appearing for the petitioners.

6. In view of the aforesaid submission made by the learned counsel for the petitioners, considering the limited scope made, this Court is inclined to direct the respondents authorities to consider the representations of the petitioners, if not already considered, on merits and in accordance with law or as per any government orders in force within a period of eight weeks from the date of receipt of a copy of this order. These writ petitions are disposed of accordingly. No costs.

Index : Yes/No

25.06.2018

Speaking Order/Non-speaking order
smi

To,

- 1 THE SECRETARY,
THE STATE OF TAMIL NADU
PWD FORT ST. GEORGE
CHENNAI - 09.
- 2 THE CHIEF ENGINEER (GENERAL)
PWD CHEPAUK CHENNAI - 05.
- 3 THE SUPERINTENDING ENGINEER
PWD PROJECT CIRCLE PALAYAMKOTTAI
TIRUNELVELI.
- 4 THE EXECUTIVE ENGINEER
PWD POGAI RESERVOIR PROJECT ARALVOIMOZHI
KK DISTRICT.

M.DHANDAPANI, J.

smi

5 SUPERINTENDING ENGINEER (PWD)
PENNAI RIVER BASIN CIRCLE W.R.O.
THIRUVANNAMALAI.

6 THE EXECUTIVE ENGINEER (WRO)
PUBLIC WORKS DEPARTMENT,
MEL PENNAIYAR RIVER
BASIN DIVISION DHARMAPURI.

7 THE EXECUTIVE ENGINEER (WRO)
PUBLIC WORKS DEPARTMENT,
VATTAR BASIN, DIVISION KARUR.

8 EXECUTIVE ENGINEER
BUILDINGS & MAINTENANCE DIVISION
DHARMAPURI.



W.P.Nos.47182, 47342, 47347
& 47353 of 2006

WEB COPY **25.06.2018**