

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 22.10.2018

CORAM
THE HONOURABLE MR. JUSTICE SATRUGHANA PUJAHARI

WP.No.27351 of 2018

E.Ganesan

.. Petitioner

Versus

1. The Secretary to Government,
Public Works Department,
Secretariat, Chennai 600 009.
 2. The Chief Engineer,
Designing Research and Central Scheme/
Public Works Department / Water Resources Department,
Chepauk, Chennai 600 005.
 3. The Engineer in Chief / Chief Engineer Irrigation,
Public Works Department / Water Resource Department,
Chepauk, Chennai 600 005.
 4. Deputy Director Hydraulics,
Institute of Hydraulics and
Hydrology, Poondi - 602 023
 5. The Assistant Director / Assistant Executive Engineer P.W.D.
Left Flank, Sub Division (I/C),
Institute of Hydraulics and
Hydrology, Poondi - 602 023
Thiruvallur District.
 6. The Accountant General (A&E) Tamil Nadu,
Pension 15, No.361, Annasalai,
Teynampet, Chennai 600 018
- ..Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India praying for a writ of Mandamus directing the respondents to regularize 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.D.Suriyanarayanan,
Additional Government Pleader

ORDER

The grievance of the petitioner in this case is that he was working as a Non-muster roll employee 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 and posted as Mazdoor. 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. Aggrieved by the same, the petitioner in this regard submitted a representation to the respondents dated 05.09.2018 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 respondents 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, WP No.25739 of 2013 and WP No.19198 of 2018 and as such, prays for appropriate orders.

3. Mr.D.Suriyanarayanan, learned Additional 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 shall 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 05.09.2018 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(CS IX)

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary to Government,
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Teynampet, Chennai 600 018

+1cc to Mr.P.K.Kalpna, Advocate, S.R.No.71648

WP.No.27351 of 2018

GP(CO)

rrs 01/11/2018

सत्यमेव जयते

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