

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 01.11.2018

CORAM

THE HONOURABLE MR.JUSTICE SATRUGHANA PUJAHARI

W.P.No.28788 of 2018 and WMP No.33631 of 2018

1. M.Adhikesavan
2. K.Kalaivani
3. K.Lakshmi
4. M.Jothi
5. N.Venkateshan
6. P.Lakshmi
7. P.Valarmathi
8. A.Malarkodi
9. D.Sadasivam
10. A.Alpoons

.....Petitioners

Versus

1. The Chairman,
Tamil Nadu Generation and Distribution Corporation
(TANGEDCO),
No.144, Anna Salai,
Chennai 600 002.
2. The Chief Engineer,
Tamil Nadu Generation and Distribution Corporation
(TANGEDCO),
No.144, Anna Salai, Chennai 600 002.
3. The Superintendent Engineer,
Thiruvannamalai Electricity Distribution Circle,
TANGEDCO, Thiruvannamalai - 4. ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of Mandamus directing the respondents to pass orders on the representation of the 1st petitioners to 7th petitioners dated 24.07.2018 and 8th and 9th petitioners dated 21.04.2018 and 10th petitioners dated 15.08.2018 in the light of the order passed in Memo No.081451/1310/G.42/J.422/2017-I dated 28.09.2017 on the file of the 2nd respondent and to repost the petitioners in the existing vacancy as Full Time regular employee with all attendant benefits instead of Part Time Conservancy Workers.

For Petitioner : Mr.P.M.Jayachandran

For Respondents : Mr.P.R.Dhilip Kumar,
Standing Counsel

O R D E R

Heard Mr. P.M.Jayachandran, the learned counsel appearing for the petitioners and Mr.P.R.Dhilipkumar, the learned Standing Counsel, who accepts notice on behalf of the respondents. With the consent on either side, this Writ Petition is take up for disposal at the stage of admission.

2. The petitioners have come to this Court by way of this Writ Petition seeking a writ of mandamus directing the respondent to pass orders on the representation of the 1st petitioner to 7th petitioner dated 24.07.2018 and 8th and 9th petitioner dated 21.04.2018 and 10th petitioner dated 15.08.2018 in the light of the order passed vide Memo No. 081451/1310/G.42/G.422/2017-1, dated 28.09.2017 on the file of the 2nd respondent and to repost them in the existing vacancy as Full Time regular employee with all attendant benefits instead of Part Time Conservancy Workers.

3. At the very outset, the learned counsel appearing for the petitioners submits that in respect of very same relief, similarly situated persons approached this Court by way of filing W.P.Nos.25423 and 25433 of 2013, and this Court, vide order dated 09.01.2014, disposed of the Writ Petitions issuing certain directions, the Photostat copy of which has been annexed at Page No.20 of the typed-set of papers filed in support of this Writ Petition. He, therefore, prays that similar direction may be issued in the present Writ Petition as well.

4. The learned Standing Counsel appearing for the respondents has no objection in following the earlier order passed by this Court in W.P.Nos.25423 and 25433 of 2013 (referred supra).

5. Considering the submissions made by the learned counsel for the parties and in view of the earlier order passed by this Court in W.P.Nos.25423 and 25433 of 2013, dated 09.01.2014, in respect of very same relief, this Court is inclined to dispose of the present Writ Petition also on the same lines. Accordingly, this Writ Petition stands disposed of with a direction to the first respondent to take an informed and considered decision on the representation of the 1st petitioner to 7th petitioner dated 24.07.2018 and 8th and 9th petitioner dated 21.04.2018 and 10th petitioner dated 15.08.2018 but, in the light

of the aforesaid order of this Court, so also, in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order, if there is no other legal impediment. However, it is made clear that this Court has expressed no opinion on the merit of representation of the petitioners in any manner. No costs. Consequently, the connected miscellaneous petition is also closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

1. The Chairman,
Tamil Nadu Generation and Distribution Corporation
(TANGEDCO),
No.144, Anna Salai,
Chennai 600 002.
2. The Chief Engineer,
Tamil Nadu Generation and Distribution Corporation
(TANGEDCO),
No.144, Anna Salai, Chennai 600 002.
3. The Superintendent Engineer,
Thiruvannamalai Electricity Distribution Circle,
TANGEDCO, Thiruvannamalai - 4.

+1cc to Mr.P.M.Jayachandran, Advocate Sr.75104

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W.P.No.28788 of 2018

kj[co]
srg 26/11/2018