

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 18.12.2018

CORAM

THE HONOURABLE DR. JUSTICE S.VIMALA

W.P. NOS. 30982 & 30998 OF 2018

AND

W.M.P. NOS. 36145, 36146 & 36125 OF 2018

- 1.Subbaiah
2. S.Suloga
- 3.V.Vinitha Kumari
4. K.Gnana Soundari
- 5.P.G.Sri Gandhi
- 6.P.G.Anandhi
- 7.N.Manickam
- 8.V.Vetrivel

... Petitioner in WP 30998/18

- Vs -

1. The State of Tamil Nadu
rep. By the Secretary
Public Works Department
Fort St. George, Chennai 600 009.
2. The Chief Engineer
Public Works Department
Chepauk, Chennai 600 005.
3. The Superintending Executive Engineer
Water Resources Organisation
Thamaraparani Basin Division
Tiruvenveli - 2.
4. The Executive Engineer
Water Resources Organisation
Kodayar Basin Division
Nagercoil 629 001.

.. Respondents in WP 30998/18

- 1.P.Esakkiappan
- 2.V.Sivalingam
- 3.V.Annadurai
- 4.K.Neppoliyan

5.S.Ganesan

.. Petitioners in WP 30982/18

Vs

1. The State of Tamil Nadu
rep. By the Secretary
Public Works Department
Fort St. George, Chennai 600 009.
2. The Chief Engineer
Public Works Department
Chepauk, Chennai 600 005.
3. The Chief Engineer
Water Resources Organisation (WRO)
Chepauk, Chennai 600 005.
4. The Chief Engineer
Public Works Department
Trichy (Regional)
Water Resources Organisation, Trichy.
5. The Assistant Executive Engineer
Marudaiyaru Basin Sub Division
Perambalur, Perambalur District.
6. The Executive Engineer
Water Resources Organisation
Kodayar Basin Division
Nagercoil 629 001.

.. Respondents in WP 30982/18

W.P. No.30998 of 2018 filed under Article 226 of the Constitution of India praying this Court to issue a writ of mandamus directing the 1st respondent to pass an order on the representation dated 23.07.2018, 14.9.2018 seeking regularisation of the service on the completion of ten years casual labour in the light of the orders passed by the Hon'ble Division Bench in W.A. No.493/2016 dated 25.4.16 and W.A. No.631/16 dated 13.6.16 and the same was also challenged by the respondent before the Hon'ble Apex Court in SLP C.C. No.17385 the same was dismissed on 30.9.16 by confirming Hon'ble Division Bench order and also review application filed in R.P. (C) No.6164 the same was also dismissed by the Hon'ble Apex Court on 9.11.2017 and thereby direct the 1st respondent to regularise the petitioners service on completion of 10 years casual labour in the respondent Public Works Department.

W.P. No.30982 of 2018 filed under Article 226 of the Constitution of India praying this Court to issue a writ of mandamus directing the 1st respondent to pass an order on the representation dated 23.07.2018, 14.9.2018 and 05/11/2018 seeking regularisation of the service on the completion of ten years casual labour service in the light of the orders passed by the Hon'ble Division Bench in W.A. No.493/2016 dated 25.4.16 and W.A. No.631/16 dated 13.6.16.

For Petitioner : Mr. S.Ashok Kumar

For Respondent : Mr. A.N.Thambidurai, AGP

ORDER

These writ petitions have been filed for a direction on the 1st respondent to pass an order on the representation dated 23.07.2018, 14.9.2018 seeking regularisation of the service on the completion of ten years casual labour service in the light of the orders passed by the Hon'ble Division Bench in W.A. No.493/2016 dated 25.4.16 and W.A. No.631/16 dated 13.6.16.

2. It is the case of the petitioners in both the writ petitions that G.O. Ms. No.22 P&AR Dept., dated 28.2.2006 prescribing cut off date as 1.1.2006 has been passed for regularising the service of the casual labourers, who have put in 10 years of service. Subsequent to the same, G.O. Ms. No.74, P&AR Dept., dated 27.6.2013 has been passed wherein certain directives and guidelines have been formulated by the Government for regularising the services. Pursuant to the same, casual labourers, who have put in 10 years of service have been regularised based on the orders passed by this Court in a batch of writ petitions. Further to the same, the said order has been confirmed by the Division Bench of this Court in W.A. Nos. 493 and 631 of 2016. Based on the said orders, the petitioners submitted detailed representations dated 23.7.2018 and 14.9.2018 for regularisation of their service on completion of 10 years. Since no order has been passed on the said representations till date, the present petitions have been filed.

3. Mr.A.N.Thambidurai, learned Addl. Government Pleader takes notice for the respondents. The learned counsel for the petitioners submitted that this Court may direct the respondents to consider the representations submitted by the petitioners in the light of the order passed by the Division Bench of this Court in W.A. Nos.493 and 631 of 2016 and pass orders thereon within a particular time frame.

4. In view of the limited relief sought for, this Court is of the view that it would be suffice to direct the respondent to

consider the representations submitted by the petitioners and pass orders thereon within a particular time frame.

5. In the above circumstances, these writ petitions are disposed of directing the respondents to consider the representations dated 23.7.18 and 14.9.2018 submitted by the petitioners and pass orders thereon, in the light of the order passed by the Division Bench of this Court in W.A. Nos.493 and 631 of 2016, within a period of eight weeks from the date of receipt of a copy of this order. Consequently, connected miscellaneous petitions are closed. However, there shall be no order as to costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

GLN

To

1. TheSecretary
Public Works Department
Government of Tamil Nadu
Fort St. George, Chennai 600 009.
2. The Chief Engineer
Public Works Department
Chepauk, Chennai 600 005.
3. The Superintending Executive Engineer
Water Resources Organisation
Thamaraparani Basin Division
Tiruv enveli - 2.
4. The Executive Engineer
Water Resources Organisation
Kodayar Basin Division
Nagercoil 629 001.
5. The Chief Engineer
Water Resources Organisation (WRO)
Chepauk, Chennai 600 005.

6. The Chief Engineer
Public Works Department
Trichy (Regional)
Water Resources Organisation, Trichy.

7. The Assistant Executive Engineer
Marudaiyaru Basin Sub Division
Perambalur, Perambalur District.

+2cc to Mr.S.Ashok Kumar, Advocate, S.R.No.87854 & 87855

+1cc to the Government Pleader, S.R.No.88352

W.P. NOS. 30982 &
30998 OF 2018

GJII(CO)
GSP(04/01/2019)