

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.12.2018

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

W.P.No.32629 of 2018

1. V.Veerasamy
2. V.Nagaraj
3. P.Mahendiran
4. J.Sundaram
5. M.Murugesan

... Petitioners

versus

1. The Commissioner/Director of Sugar,
No.690, Anna Salai,
Nandanam, Chennai - 600 035.
2. The Management,
The Dharmapuri District Co-operative
Sugar Mills Ltd.,
K.K.347, Palacode - 636 808.
Dharmapuri District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of mandamus, to direct the respondents to pass orders on the representation of the petitioners dated 06.10.2018 in accordance with the Judgment of the Hon'ble Supreme Court and G.O.Ms.No.22 dated 28.02.2006 within a time limit to be stipulated by this Court.

For Petitioner : Mrs.D.Geetha

For Respondents: Mr.R.Bala Ramesh,

Special Government Pleader (Co-op.)

ORDER

The petitioners are filing this writ petition seeking a direction to the respondents to consider their representation dated 06.10.2018.

2. The petitioners claim that they entered into the service of the second respondent as Helper to the Cook on various dates in the canteen run by the 2nd respondent and they have been working continuously from the date of their initial appointment without any break and without any complaints. The Management of the second respondent Mill decided to close the Canteen and

redeployed the petitioners in other departments as Mazdoors from 2003.

2.1. Now, it is the grievance of the petitioners that their services have not been regularized till date and they have not been provided with the scale of pay as that of a regular employee. Hence, the petitioners submitted a representation dated 06.10.2018 to the respondents. But, the said representation has not been considered by the respondents. Hence, the present writ petition has been filed.

3. The learned counsel appearing for the petitioner submitted that the petitioners are entitled to regularization in terms of the Judgment passed by the Hon'ble Supreme Court and G.O.Ms.No.22 dated 28.02.2006. However, the learned counsel for the petitioner submitted that it would suffice, if the representation of the petitioners dated 06.10.2018 is directed to be considered by the respondents, within a stipulated time.

4. Having regard to the limited prayer sought for herein, this Court, without going into the merits of this case, directs the respondents to consider the representation of the petitioner dated 06.10.2018 in accordance with the service particulars furnished by the petitioners and to pass orders thereon, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above direction, the writ petition is disposed of. No costs.

-s/d-

Deputy Registrar

True Copy

Sub-Assistant Registrar

To

1. The Commissioner/Director of Sugar,
No.690, Anna Salai,
Nandanam, Chennai - 600 035.

+1 CC to Mr.R.Bala Ramesh, Advocate sr 85365.

+1 CC to Ms.D. Geetha, Advocate sr 85016

W.P.No.32629 of 2018

SR(CO)
SP(21/12/2018)