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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 30.10.2018

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

AND

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.A.(MD).Nos.138 to 142 of 2018

and

C.M.P.(MD).Nos.705 to 713 of 2018

- 1.The Director of Fisheries,
Directorate of Fisheries,
Administrative Buildings,
Teynampet, Cheenai-06.
- 2.The Chief Engineer,
(Earlier Superintending Engineer)
Fishing Harbour Project Circle,
DMS Complex, Teynampet, Chennai-06.
- 3.The Executive Engineer,
Fishing Harbour Project Division,
Chinnamuttam,
Near Vadasery Bus Stand,
Nagercoil,
Kanyakumari District. ... Appellants/Respondents in all the cases
Vs.

- | | |
|-------------------|---|
| 1.G.Sri Priya | ...Respondent/Petitioner in W.A.No.138/2018 |
| 2.C.Latha | ...Respondent/Petitioner in W.A.No.139/2018 |
| 3.K.Krishnakumari | ...Respondent/Petitioner in W.A.No.140/2018 |
| 4.M.Rajeswari | ...Respondent/Petitioner in W.A.No.141/2018 |
| 5.N.Arul Thaya | ...Respondent/Petitioner in W.A.No.142/2018 |

COMMON PRAYER: Writ Appeal is filed under Clause 15 of Letter Patent, against the order passed by this Court in W.P.(MD).Nos.1439, 1440, 1441, 1442 and 1443 of 2014 dated 11.05.2017.

Common Prayer in WP(MD)Nos. 1439/ 2014 to 1443/2014:

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records of the Respondent in connection with the Impugned Orders passed by rhe 3rd respondent herein in Proceedings No.1083/B/2007 dated 23.01.2014, issued under thr instructions of the Chief Engineer, the 2nd respondent herein and quash the same and consequently direct the Respondents herein to regularize the services of the petitioner from the date of her joining viz., 16.05.2008, 19.06.2008, 13.06.2008, 16.05.2008 and 16.05.2008 respectively and pay to he all other consequent benefits.



For Appellant in
all the cases : Mr.A.K.Baskara Pandian
Special Government Pleader

For Respondents in
all the cases : Mr.J.Alaguram Jothi

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COMMON JUDGMENT**[Common Judgment of the Court was made by M.M.SUNDRESH,J.]**

By the impugned order, the appointments made for Work Inspector Grade-III was cancelled on the ground that there is no such post existing at the relevant point of time. The learned Single Judge was pleased to allow the writ petition on the ground that the Work Inspector Grade-III is the same as Head Mazdoors and also having same qualification.

2.We do not find any merit in these appeals. For the mistake committed by the third appellant, the respondents cannot be made to suffer. It is a mere change of nomenclature with job being the same having the same qualification. Thus, the writ appeals stand dismissed. No costs. Consequently, the connected C.M.Ps are closed.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar(CS-II)

To

- 1.The Director of Fisheries,
Directorate of Fisheries,
Administrative Buildings,
Teynampet, Cheenai-06.
- 2.The Chief Engineer,
(Earlier Superintending Engineer)
Fishing Harbour Project Circle,
DMS Complex, Teynampet, Chennai-06.
- 3.The Executive Engineer,
Fishing Harbour Project Division,
Chinnamuttam, Near Vadasery Bus Stand,
Nagercoil, Kanyakumari District.

+5CC to Mr.J.Alaguram Jothi, Advocate, SR.No.92975, 93292 to 93295

+1CC to the Special Government Pleader SR.No. 93355

W.A.(MD).Nos.138 to 142 of 2018 and

C.M.P.(MD).Nos.705 to 713 of 2018

30.10.2018