

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No. 5608 of 2014

O R D E R:

This writ petition is filed seeking to issue a writ of Mandamus declaring the action of respondents in not regularizing the services of the petitioners on par with respondent No.4, as illegal and arbitrary.

It is stated that all the petitioners herein were appointed on daily wage basis to work as Junior Assistants on various dates in respondent No.2-school, who is under the control of respondent No.1-University. Though they have completed more than ten years of service, their services were not regularized. Questioning the same, the petitioners filed a writ petition in WP No.14388 of 2003 before this court seeking to regularize their services and with all consequential benefits from 07.10.1991, pursuant to G.O.Rt.No.1943 [Education (UE.2)] Department, dated 07.10.1991. This Court by order dated 22.02.2013, disposed of the said writ petition directing the Government to frame a scheme as a one time measure to regularize the services of the petitioners as Junior Assistants, if they are still in service in the University and if any one of them are already retired, the scheme may provide for payment of retirement benefits to such petitioners. Pursuant thereto, respondent No.2 by order dated 09.04.2008 considered the cases of the petitioners for regularization.

While so, the services of respondent No.4 herein, who was appointed on temporary basis alike these petitioners in the year 1991, was regularized and was promoted to the post of Senior Assistant with effect from 01.04.2005. It is stated that petitioners herein are also entitled for regularization of their services from the date of their initial appointment or at least from the date on which respondent No.4's services were regularized. In this regard, the petitioners submitted a representation 23.01.2014 to respondent authorities and the same is pending consideration and no orders have been passed so far.

Heard Smt.K.Udaya Sri, learned counsel for petitioners and learned Standing Counsel appearing for respondents.

Learned counsel for petitioners would submit that appropriate orders may be passed directing respondent university to consider the cases of the petitioners for regularization of their services on par with respondent No.4.

Learned Standing Counsel appearing for respondents would submit that pursuant to the order dated 22.02.2013 passed by this Court in WP No.14388 of 2003, the services of the petitioners were regularized and no further orders need be passed in this writ petition.

Since it is represented that the representation dated 23.01.2014 submitted by the petitioners is pending consideration, this Court deems fit to direct the respondent authorities to consider the representation of the petitioners and dispose of the same in accordance with law within a period of four (04) weeks from the date of receipt of a copy of the order. No costs.

Miscellaneous Petitions, if any, pending shall stand dismissed.

26.11.2018
Mjl/*



ABHINAND KUMAR SHAVILI, J