

IN THE HIGH COURT OF JUDICATURE AT MADRAS

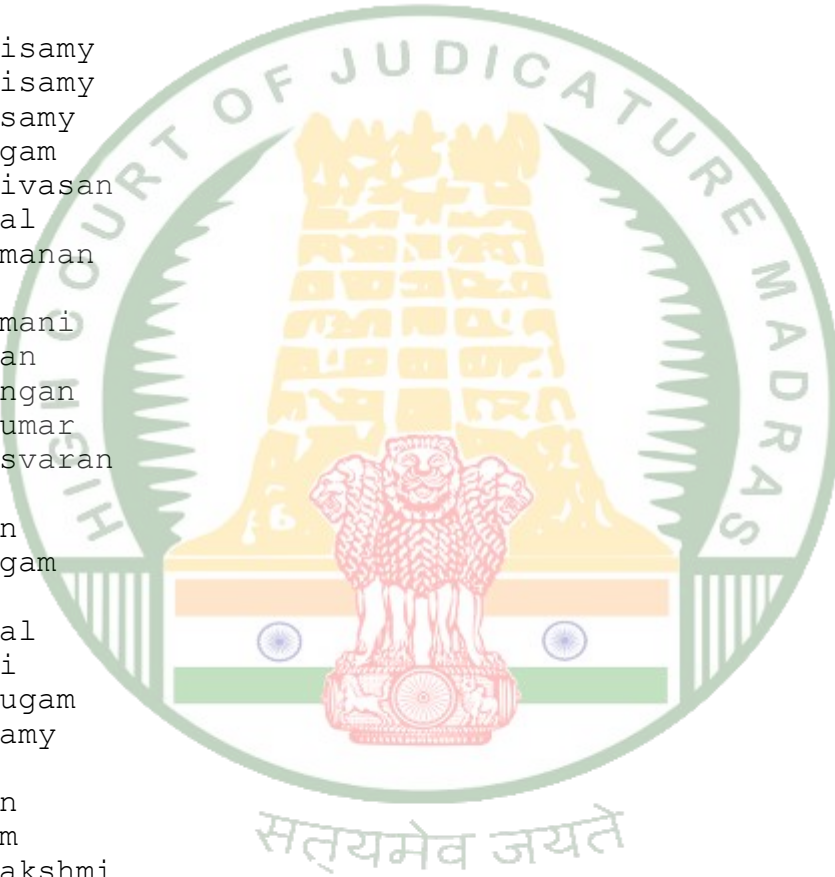
DATED: 09.04.2019

CORAM

THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.17701 of 2015

1. P.Raju
2. P.Palanisamy
3. M.Palanisamy
4. K.Periasamy
5. G.Arumugam
6. V.Sreenivasan
7. V.Perumal
8. T.Lakshmanan
9. P.Raja
10. C.Subramani
11. P.Ganesan
12. C.Seerangan
13. V.Jayakumar
14. K.Madhesvaran
15. K.Sekar
16. P.Kannan
17. P.Arumugam
18. R.Raja
19. M.Perumal
20. M.Sivaji
21. V.Shanmugam
22. L.Ramasamy
23. K.Arul
24. S.Kannan
25. S.Selvam
26. S.Nagalakshmi
27. V.Krishnaveni
28. K.Lakshmanan
29. C.Govindan
30. D.Venkatesan
31. R.Rangasamy
32. M.Shanmugam
33. S.Madhesvari
34. S.P.Vadivel
35. M.Radha
36. A.Ponnammal



WEB COPY

...Petitioners

Vs.

1.The Commissioner of Municipal Administration
Chepauk
Chennai-600 005.

2.The Commissioner
Salem Municipal Corporation
Salem District.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records relating to the proceedings in Na.Ka.No.C3/33449/2014 dated 22.01.2015 passed by the 2nd respondent and quash the same and direct the 2nd respondent to regularize the petitioners' services in the post of Tank Operator/Water supply worker in regular time-scale of pay in the 2nd respondent's Corporation according to G.O.Ms.No.21 dated 23.02.2006 as per the order passed in WP.No.27762 of 2014 dated 17.10.2014.

For Petitioners: Mr.M.Thamizhavel

For Respondents: Mr.S.N.Parthasarathy
Government Advocate for R1
R2- No appearance

O R D E R

The petitioners are aggrieved against the proceedings of the 2nd respondent dated 22.01.2015, wherein and whereby, the claim of the petitioners for regularizing their services, was rejected on the ground that they are part time Tank operators. Consequently, the petitioners seek for regularization of their services for the post of Tank operator/Water supply worker in regular time scale of pay in the 2nd respondent-Corporation, according to G.O.Ms.No.21 Municipal Administration and Water Supply (MC.3) Department dated 23.02.2006.

2. When this writ petition was taken up for hearing on 26.03.2019, there was no representation for the 2nd respondent-Salem Corporation. Hence, the matter was directed to be posted on 03.04.2019. Again on 03.04.2019, there was no representation for the 2nd respondent-Salem Corporation and hence, the matter is listed today under the caption "for orders". Today, when the matter is taken up for hearing, again there is no representation for the 2nd respondent-Salem Corporation.

3. The learned counsel for the petitioners submitted that the issue involved in this writ petition, is squarely covered by the order passed by this Court on 14.11.2018 in WP.No.23468 of 2018 filed by another pump operator working in the very same Salem Corporation. He has also produced a copy of the said order.

4. This Court, after considering the similar relief sought for in the said writ petition and the similar objections raised by the Salem Corporation, has rejected the objections and allowed the writ petition with a direction to the respondents to regularize the services of the petitioner in terms of G.O.Ms.No.21 dated 23.02.2006 and granted other benefits to the petitioner.

5. I find that the above said decision arising out of the same Salem Corporation in respect of similar Pump operator, is squarely applied to the present case. Thus, this writ petition is allowed and the impugned order is set aside. Consequently, the respondents are directed to consider the claim of the petitioners for regularization of their services in terms of G.O.Ms.No.21 Municipal Administration and Water Supply (MC.3) Department dated 23.02.2006 and grant all benefits accordingly. The whole exercise shall be done by the respondents within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

mk
To

1.The Commissioner of Municipal Administration
Chepauk, Chennai-600 005.

2.The Commissioner
Salem Municipal Corporation
Salem District.

+1cc to Mr.M.Tamizhavel, Advocate Sr.346200
+1cc to the Public Prosecutor, Sr.35349

W.P.No.17701 of 2015

srg 04/06/2019