

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED :13.09.2019
CORAM
THE HON'BLE MR.JUSTICE M.DHANDAPANI
W.P.No.22367 of 2019

M.Kamala

..Petitioner

vs

1.The State of Tamil Nadu
Rep. by its Commissioner
Department of Municipal Administration
Chepauk, Chennai-600 005.

2.The Commissioner
Arani Municipality
Arani.

... 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 grant to the petitioner the continuity of service from 03.08.1993 and all other attendant and monetary benefits on the basis of the representation of petitioner dated 22.05.2019.

For Petitioner : Ms.S.Aishwarya for Mr.N.Chandra Raj
For R1 : Mr.R.S.Selvam
Government Advocate
For R2 : Mr.G.Rajesh
for Mr.V.Jayaprakash Narayanan
Government Pleader

O R D E R

The petitioner has filed the present Writ Petition for issuance of a Writ of Mandamus, to direct the respondents to grant the petitioner the continuity of service from 03.08.1993 and all other attendant and monetary benefits on the basis of the representation of petitioner dated 22.05.2019.

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the 1st respondent and learned Government Pleader appearing for the 2nd respondent.

3. The case of the petitioner is that after the death of her husband, she was appointed as Sanitary Worker on compassionate ground in the year 1991. After continuity of service, since the petitioner's appointment was not regularised, the petitioner has approached this Court by way of W.P.No.16897 of 2006. This Court by order dated 19.04.2007, directed the respondents to reinstate the petitioner with continuity of service and all other service benefits without backwages. Accordingly, the petitioner rejoined duty on 02.07.2017. Though the 2nd respondent reinstated the petitioner into service, however, continuity of service and other service benefits were not granted in favour of the petitioner. Therefore, the petitioner has made a representation to the respondents on 22.05.2019. However, till date, the petitioner's representation was not considered and hence, this writ petition.

4. The learned counsel for the petitioner contended that it would suffice for this Court to direct the respondents to consider the petitioner's representation on merits and in accordance with law within a stipulated time to be directed by this Court.

5. Both the learned Government Advocate as well as the Government Pleader appearing for the respondents would also concede the request made by the learned counsel for the petitioner.

6. Considering the facts and circumstances of the case, this Court hereby directs the respondents to consider the petitioner's representation dated 22.05.2019 and pass appropriate orders on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order.

7. Accordingly, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1.The Commissioner,
State of Tamil Nadu
Department of Municipal Administration
Chepauk, Chennai-600 005.

2.The Commissioner
Arani Municipality
Arani.

+1cc to Mr.V.Jayaprakash Narayanan, Advocate sr.79197

+1cc to Government Pleader sr.79334

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spd(co)
nr 30/10/2019



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