

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :30.10.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.NO.30649 OF 2019

AND

WMP.NO.30726 OF 2019

1. J.Jayakumar
2. P.Lakshmi
3. S.Pappukutty
4. R.Lakshmi
5. R.Sargunam
6. S.V.Gracy
7. P.Meenambal
8. V.Malarkodi

..Petitioner

vs

1. The Secretary to Government
Backward, Most Backward Classes
and Minorities Welfare Department
Fort St.George, Chennai- 600 009.
2. The Director of Backward Classes Welfare
Chepauk, Chennai- 600 005.
3. The District Backward, Most Backward Classes
and Minorities Welfare Officer,
Tiruppur District.
4. The District Backward, Most Backward Classes
and Minorities Welfare Officer,
Erode District.

.. Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus or any other appropriate writ, order or direction in the nature of writ, directing the respondents to consider the representation of the petitioners dated 09.08.2019 and 16.08.2019 seeking regularization of petitioners service on completion of 5 years of service from the date of initial appointment as per G.O.Ms.No.19 Backward, Most Backward Classes and Minorities Welfare Department dated 07.03.2008 and pass orders.

For Petitioner : Mr.S.Panneer Selvam

For Respondents : Ms.M.Lalitha,
Government Advocate

O R D E R

With the consent of both the parties, the Writ Petition is taken up for final disposal at the stage of admission itself.

2. The petitioners filed this Writ Petition seeking direction to the respondents to consider the representation of the petitioners dated 09.08.2019 and 16.08.2019 seeking regularization of petitioners service on completion of 5 years of service from the date of initial appointment as per G.O.Ms.No.19 Backward, Most Backward Classes and Minorities Welfare Department dated 07.03.2008

2. The case of the petitioners is that the petitioners are all now working as Cook at various Backward and Most Backward Classes Welfare Hotels in Erode district. They have been initially appointed as cook/Assistant cooks/Helpers in Backward and Most Backward classes Welfare Hostels in Erode District on various dates between 1992 to 1995. Subsequently, the District Backward and Most Backward Classes Welfare Officer, Erode District has issued an order in his proceedings vide.Na.Ka.66144/2008/Na2 dated 02.03.2009, that services should be regularized on completion of 5 years of service from the date of the initial appointment regularising the petitioners services in the post of cook retrospectively on various dates in the year 2007. Thereafter the first respondent has issued a G.O,Ms.No.19 Backward, Most Backward Classes and Minorities Welfare Department dated 07.03.2008 in which it has been specifically prescribed that the services of the cooks who are all appointed after 21.01.1981 should be regularized from next but till date their services were not regularized. Thereafter petitioners made representations on 9.8.2019 and 16.8.2019 to seeking regularization of petitioners service on completion of 5 years service from the date of initial appointment as per G.O.Ms.19 Backward, Most Backward Classes and Minorities Welfare Department dated 07.03.2008 but till date their representations were not considered.

3. The learned counsel for the petitioners would submit that it would be suffice to issue direction to the respondents to dispose of the representations dated 9.8.2019 and 16.8.2019 on merits and in accordance with law.

4. The learned counsel for the respondents agreed to dispose of the representation dated 9.8.2019 and 16.8.2019 within a reasonable time.

5. Considering the facts and circumstances of the case and the limited request made by the learned counsel for the petitioner, I am inclined to issue direction to the respondents to dispose of the representations dated 9.8.2019 and 16.8.2019 on merits and in accordance with law within a period of twelve (12) weeks from the date of receipt of a copy of this order. With the above direction, the Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

mrn

To

1. The Secretary to Government
Backward, Most Backward Classes
and Minorities Welfare Department
Fort St. George,
Chennai- 600 009.
2. The Director of Backward Classes Welfare
Chepauk, Chennai- 600 005.
3. The District Backward, Most Backward Classes
and Minorities Welfare Officer,
Tiruppur District.
4. The District Backward, Most Backward Classes
and Minorities Welfare Officer,
Erode District.

+1cc to Mr.S.Panneer Selvam, Advocate, S.R.No.89769
+1cc to the Government Pleader, S.R.No.90376

W.P.No.30649 of 2019
and
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KK(CO)
CS/18/12/2019