

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.11.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.Nos.31373 and 31376 of 2019

A.Vasanthan ... Petitioner in W.P.No.31373 of 2019

G.Srinivasan ... Petitioner in W.P.No.31376 of 2019

Vs.

- 1.The Secretary to Government,
Municipal Administration and Water Supply,
(MC4) Department,
Fort St.George,
Chennai - 600 009.
- 2.The Commissioner of Municipal Administration,
Ezhilagam, Chennai - 600 005.
- 3.The Commissioner,
Coimbatore Corporation,
Coimbatore-641 001.

... Respondents in both writ petitions

PRAYER : Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the third respondent corporation to consider the representation of the petitioner dated 17.05.2019 and grants the relief on par with the similarly placed persons.

For Petitioner : Mr.S.Gopinathan

For Respondent : Ms.R.Janaki
Additional Government Pleader

COMMON ORDER

These writ petitions are filed to issue a Writ of Mandamus directing the third respondent corporation to consider the representations of the petitioners dated 17.05.2019 and grants the relief on par with the similarly placed persons.

2.By consent of both parties, this writ petition is taken up for final disposal.

3.The petitioners are joined service in the year 1983 and 1986 respectively as an operator in the Aluminum Electrolytic Capacitor Project, Hosur, Dharmapuri by Electronics Corporation of Tamilnadu Limited (ELCOT). When the petitioners were working in the ELCOT, there was a proposal to convert the AEC Project, Hosur into Joint Venture Company by disinvestment of the Government share. By order dated 10.07.2007, the petitioners were appointed as a Junior Assistant cum Typist by the third respondent at Coimbatore Corporation West Division Office as Junior Assistant cum typist. The service of the petitioner was also regularized by the third respondent vide proceedings dated 30.11.2009.

4.The grievance of the petitioners is that the service rendered by them in the ELCOT was not counted and regularized. Similarly, the persons who were initially worked in Tamilnadu Textile Corporation also appointed by the third respondent based on the Government order as a fresh candidate. They were approached this Court to treat them as an absorbed candidates in the third respondent corporation. The Hon'ble Division Bench of this Court by order dated 16.11.2016 in Writ Appeal Nos.1321 to 1324 of 2012, allowed the writ appeals and directed the respondents to pay the retrial benefits by counting the services rendered by them in the Tamilnadu Textile Corporation. The petitioners submit that they are entitled to the same relief and they sought absorption of the service they rendered in the ELCOT. Therefore, they made representations dated 17.05.2019 to consider the services rendered by them in the ELCOT while calculating the total service for payment of terminal benefits, pension. Since, the said representations were not considered, this writ petition came to be filed.

5.The learned Additional Government Pleader appearing for the respondents would submit that the petitioners' representations dated 17.05.2019 will be considered within a period of 12 weeks.

6.Considering the facts and circumstances of the case and the limited request made by the learned counsel for the petitioners, I am inclined to issue direction to the respondents to dispose of the petitioners' representation dated 17.05.2019, if not disposed already within a period of twelve (12) weeks from the date of receipt of a copy of this order. With the above direction, these Writ Petitions are disposed of. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

pnn

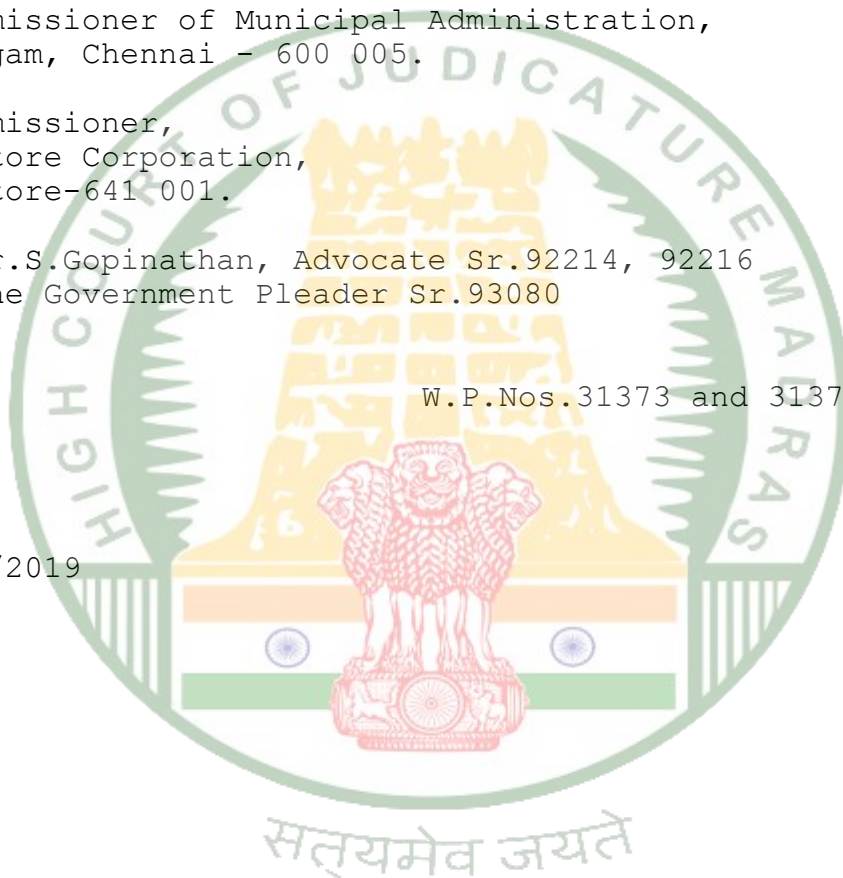
To

- 1.The Secretary to Government,
Municipal Administration and Water Supply,
(MC4) Department,
Fort St.George,
Chennai - 600 009.
- 2.The Commissioner of Municipal Administration,
Ezhilagam, Chennai - 600 005.
- 3.The Commissioner,
Coimbatore Corporation,
Coimbatore-641 001.

+2cc to Mr.S.Gopinathan, Advocate Sr.92214, 92216
+1cc to the Government Pleader Sr.93080

W.P.Nos.31373 and 31376 of 2019

ca[co]
srg 04/12/2019



WEB COPY