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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.04.2019

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) No.8228 of 2019

and

WMP(MD)No.6464 of 2019

1.K.P.M.Jothipass
2.K.Nagarajan
3.K.Kannan
4.V.Botharajan
5.R.Rajasekaran
6.A.Raja
7.A.Jeyaraj
8.A.Eswaran
9.A.Prabhakaran
10.S.Duraipandi

... Petitioners

vs.

1.The Managing Director,
Tamil Nadu Civil Supplies Corporation Ltd.,
No.12, Thambusamy Road,
Kilpauk, Chennai - 10.

2.The General Manager (Administration),
Tamil Nadu Civil Supplies Corporation Ltd.,
No.12, Thambusamy Road,
Kilpauk, Chennai - 10.

3.The Regional Manager,
Tamil Nadu Civil Supplies Corporation Ltd.,
Madurai Region,
Kuruvikaran Road,
Madurai.

... 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 regularize the petitioners' service in the respective post with effect from their date of initial appointment in the light of the order passed by the 2nd respondent vide his proceedings Na.Ka.No.Ei 2/4958/12 dated 22.03.2013 in respect of the similarly placed persons within the period that may be stipulated by

this Court



For Petitioners

: Mr.M.Ajmalkhan
Senior Counsel
for M/s.Ajmal Associates

For Respondents

: Mr.Raja Karthikeyan

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O R D E R

This writ petition has been filed seeking a direction to the respondents to regularize the petitioners' services in their respective posts with effect from the date of their initial appointment, in the light of the order passed by the second respondent vide proceedings in Na.Ka.No.Ei 2/4958/12 dated 22.03.2013.

2.Heard the learned Senior Counsel appearing for the petitioners and the learned counsel for the respondents. By consent, the writ petition itself is taken up for final disposal at the stage of admission.

3.The learned Senior Counsel appearing for the petitioners submitted that in an identical case, this Court passed orders in W.P (MD)Nos.13652, 12199, 12200 and 12230 of 2014 on 27.08.2014, directing the second respondent therein to consider and dispose of the petitioners' representations, in the light of the common order dated 04.11.2013 passed in W.P.Nos.9288, 16677 and 16678 of 2013 and taking into account the relevant regulations framed by the Tamil Nadu Civil Supplies Corporation Ltd., within a period of eight weeks from the date of receipt of a copy of that order. The learned Senior Counsel further submitted that pursuant to the said order, the claim of those petitioners had already been considered and necessary orders were passed by the respondents. Therefore, the respondents may be directed to consider the petitioners' representation dated 12.08.2016, seeking regularization their services in their respective posts.

4.The learned counsel appearing for the respondents has no serious objection for granting such relief to the petitioner.

5.In view of the above, this Court, without going into the merits of the case, directs the second respondent to consider the representation of the petitioners dated 12.08.2016 and pass appropriate orders, on merits and in accordance with law and also in the light of his earlier proceedings dated 22.03.2013 in respect of similarly placed persons, within a period of eight weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioners.

<https://hcservices.ecourts.gov.in/hcservices/>

6.The writ petition is disposed of with the above direction.



No costs. Consequently, WMP(MD)No.6464 of 2019 is closed.

Sd/-

Assistant Registrar

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// True Copy //

Sub Assistant Registrar(CS)

To

- 1.The Managing Director,
Tamil Nadu Civil Supplies Corporation Ltd.,
No.12, Thambusamy Road,
Kilpauk, Chennai - 10.
- 2.The General Manager (Administration),
Tamil Nadu Civil Supplies Corporation Ltd.,
No.12, Thambusamy Road,
Kilpauk, Chennai - 10.
- 3.The Regional Manager,
Tamil Nadu Civil Supplies Corporation Ltd.,
Madurai Region,
Kuruvikaran Road,
Madurai.

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-59866[F] dated 09/04/2019)

W.P(MD) No.8228 of 2019

KK:03/05/2019/3P/5C