



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.04.2019

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P (MD) No.21740 of 2017

M.Murugavel

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
Rep. by the Secretary Public Works Department,
Fort St. George, Chennai.
- 2.The Chief Engineer,
(General) and Engineer in Chief W.R.O.,
Chepauk, Chennai - 5.
- 3.The Chief Engineer (WRO),
Public Works Department,
Chepauk, Chennai - 5.
- 4.The Superintending Engineer,
Water Resource Organization,
Public Works Department Special Project Circle,
Madurai Region, Madurai District.
- 5.The Executive Engineer,
Water Resource Organization,
Public Welfare Department,
Manjalaru Vadinila Kottam,
Periyakulam, Theni District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the second and third respondents to consider the claim of the petitioner as annexed to this writ petition for regularization of his service on completion of 10 years of NMR/Casual Labourers services based on the orders passed by this Court in W.A(MD)No.1127 of 2016, dated 10.01.2017 within the time stipulated by this Court.

For Petitioner : M/s.M.Benazir Begum

For Respondents : Mrs.J.Padmavathy Devi,
Special Government Pleader.

ORDER

This writ petition has been filed seeking issuance of a writ of Mandamus, to direct the second and third respondents to consider the claim of the petitioner for regularization of his service on



completion of 10 years of NMR/Casual Labourers services, based on the orders passed by this Court in W.A(MD)No.1127 of 2016, dated 10.01.2017 within the time stipulated by this Court.

2. Heard M/s.M.Benazir Begum, learned counsel appearing for the petitioner and Mrs.J.Padmavathy Devi, learned Special Government Pleader appearing for the respondents.

3. The grievance of the petitioner is that even though he was appointed as daily wage employee under the Nominal Muster Roll in the Public Welfare Department and rendered 13 years of service, till date his name has not been recommended for absorption in regular time scale of pay. In the mean while, similarly placed persons and the juniors to the petitioner were regularized by the Government Orders and the order of this Court in W.A.No.493 of 2016, dated 25.04.2016; W.A.No.631 of 2016, dated 13.06.2016 and W.A(MD)No.1127 of 2016, dated 10.01.2017 and the same dictum was not applied to the petitioner. Hence, the petitioner is before this Court with the above said prayer.

4. The learned Special Government Pleader appearing for the respondents submitted that the relief, as claimed by the petitioner, would be considered by the authorities and appropriate orders be passed, on merits, within the time frame fixed by this Court.

5. In view of the above, this Court, without going into the merits of the case, directs the respondents to consider the claim of the petitioner seeking regularization of his service in the light of the Government Orders as well as the Judgment of this Court made in W.A(MD)No.1127 of 2016, dated 10.01.2017 and pass appropriate orders, on merits and in accordance with law, after affording due opportunity of hearing to the petitioner, within a period of six weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (WRITS)

// True Copy //

Sub Assistant Registrar (CS)

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To

1. The Secretary Public Works Department,
Fort St. George, Chennai.



2.The Chief Engineer,
(General) and Engineer in Chief W.R.O.,
Chepauk, Chennai - 5.

3.The Chief Engineer (WRO),
Public Works Department,
Chepauk, Chennai - 5.

4.The Superintending Engineer,
Water Resource Organization,
Public Works Department Special Project Circle,
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5.The Executive Engineer,
Water Resource Organization,
Public Welfare Department,
Manjalaru Vadinila Kottam,
Periyakulam,
Theni District.

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AL(CO)
TR (06.05.2019) 3P 6C