



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.10.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD) No.22253 of 2019

D.Karthikeyan

... Petitioner

-Vs-

1.The State of Tamil Nadu
Represented by its Secretary to Government
Public Works Department
Fort.St.George
Chennai 600 009

2.The Engineer in Chief (General)
Public Works Department
Chepauk, Chennai 600 005

3.The Chief Engineer
Public Works Department
Building Construction and Maintenance
Chepauk, Chennai 600 005

4.The Superintending Engineer
Public Works Department
Building Construction and Maintenance
Trichy, Trichy District 620 001

5.The Executive Engineer
Public Works Department
Building Construction and Maintenance
Thanjavur, Thanjavur District 613 001

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 5 to regularise the service of the petitioner w.e.f. his date of appointment and to grant all monetary benefits in service within the time frame stipulated by this Court.

For Petitioner : Mr.S.Bharathy Kannan

For Respondents : Mr.V.R.Shanmuganathan
Special Government Pleader



ORDER

The Petitioner has come out with the present writ petition for a direction to the respondents 1 to 5 to regularise the service of the petitioner w.e.f. his date of appointment and to grant all monetary benefits in service, within the time frame stipulated by this Court.

2.Mr.V.R.Shanmuganathan learned Special Government Pleader takes notice on behalf of the respondents. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3. According to the petitioner, he was working as a Nominal Muster Role (NMR) Grade-I on daily wage basis in the fifth respondent Office in the year 1997. Subsequently, the petitioner was again became Nominal Muster Roll (NMR) employee on daily wage basis. While so, the first respondent has regularised similarly placed persons like the petitioner, who are working as daily wage basis. As per G.O.Ms.No.134, Public Works Department, dated 07.05.2010, they are working more than 10 years. But, the petitioner was not regularised. Hence, he gave a representation to the respondents on 03.04.2019. But no action has been taken by the respondents so far. Hence, he has come up with the present Writ petition.

4.Considering the nature of relief sought for by the Writ petitioner, without deciding the issue on merits, the first respondent is directed to consider the representation of the petitioner, dated 03.04.2019 in the light of G.OMs.No.134, Public Works Department, dated 07.05.2010 and pass orders on merits and in accordance with law, with in a period of twelve (12) weeks, from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (CS-I)

// True Copy //

Sub Assistant Registrar(CS)

msa

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The State of Tamil Nadu
Public Works Department
Fort.St.George, Chennai 600 009

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



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+1 CC to M/s.GP (SR-94056[F] dated 23/10/2019)

+1 CC to M/s.S.BHARATHY KANNAN, Advocate (SR-94034[F] dated 23/10/2019)

W.P. (MD) No.22253 of 2019
22.10.2019

JMN(15.11.2019) 3P : 8C