



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.11.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD) Nos.22524, 22526, 22656 and 22659 of 2019

and

W.M.P. (MD) Nos.19308 to 19311, 19399, 19400, 19403 and 19404 of 2019

S.Gopi	...	Petitioner in W.P. (MD) No.22524 of 2019
S.Rengaswamy	...	Petitioner in W.P. (MD) No.22526 of 2019
Lavanya	...	Petitioner in W.P. (MD) No.22656 of 2019
M.Ramaswamy Pillai	...	Petitioner in W.P. (MD) No.22659 of 2019

-Vs-

1.The Principal Secretary to Government,
Department of Environment and Forests,
1, Panagal Building, Jenis Road, Saidapet,
Chennai, Tamil Nadu-600 015.

2.The Additional Chief Secretary to Government,
Environment and Forest, FR-8 Department,
Secretariat, Chennai-9.

3.The Chairman,
Arasu Rubber Corporation Limited,
Nagercoil, Kanyakumari District.

4.The Managing Director,
Arasu Rubber Corporation Limited,
Nagercoil, Kanyakumari District.

... Respondents
in all Writ Petitions

COMMON PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 2 and 4 to absorb the petitioners in the post of Tally Clerk in one among the four available vacancies of Tally Clerk in Arasu Rubber Corporation Limited, Kanyakumari District, in the light of the order dated 01.02.2017 passed by this Court in W.P.No.18322 of 2013 considering the petitioners' representations dated 13.08.2019.

For Petitioner : Mr.L.Victoria Gowri
(in all Writ Petitions)

For Respondents : Mr.S.Dhayalan,
Government Advocate.
(in all Writ Petitions)



COMMON ORDER

These Writ Petitions are filed to direct the respondents 2 and 4 to absorb the petitioners in the post of Tally Clerk in one among the four available vacancies of Tally Clerk in Arasu Rubber Corporation Limited, Kanyakumari District, in the light of the order dated 01.02.2017 passed by this Court in W.P.No.18322 of 2013, considering the petitioners' representation dated 13.08.2019.

2. Heard the learned counsel appearing for the petitioners, the learned Government Advocate appearing for the respondents and perused the materials available on record carefully.

3. According to the petitioners, they are working as Field Workers on daily wage basis as full time employees in Mylar Division of Arasu Rubber Corporation Limited in the category of regular Corporation staff. Though the petitioners were appointed as Field Workers on daily wage basis, for the past 27 years they are rendering clerical jobs in the Corporation. The petitioners are entitled to get absorption in the respondents 3 and 4 Corporation. The fourth respondent has passed a resolution dated 28.06.2011, for the purpose of considering the representation of certain workers, who are doing clerical jobs in Arasu Rubber Corporation Limited, for absorbing in the post of Tally Clerks and forwarded the said proposal to the second respondent on 22.07.2011. The second respondent, by the order dated 13.05.2013, has rejected the said proposal forwarded by the fourth respondent. Challenging the same, the petitioners have filed W.P.No.18322 of 2013, wherein this Court, by the order dated 01.02.2017, has disposed of the Writ Petition, holding that the petitioners are not entitled for regularization in the post of Tally Clerks. However, it is for the Government to consider the said proposal for regularization of the petitioners, if they are otherwise eligible as per the guidelines issued by the Government in G.O.Ms.No.74, P & AR(F) Department, dated 27.06.2013. In view of the order passed by this Court dated 01.02.2017, the petitioners sent representation dated 13.08.2019 to the fourth respondent. However, the same has not been considered. Hence, the petitioners have come out with the present Writ Petitions.

4. Considering the nature of relief sought for by the petitioners and the order passed by this Court dated 01.02.2017 made in W.P.No.18322 of 2013, the respondents 1 and 2 are directed to consider the representation of the petitioners dated 13.08.2019, on merits taking into consideration of the order passed by this Court dated 01.02.2017 made in W.P.No.18322 of 2013 and pass appropriate orders, in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.



5. With the above direction, the Writ Petitions are disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar()

// True Copy //

Sub Assistant Registrar(CS)

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To

1. The Principal Secretary to Government,
Department of Environment and Forests,
1, Panagal Building, Jenis Road, Saidapet,
Chennai, Tamil Nadu-600 015.

2. The Additional Chief Secretary to Government,
Environment and Forest, FR-8 Department,
Secretariat, Chennai-9.

3. The Chairman,
Arasu Rubber Corporation Limited,
Nagercoil, Kanyakumari District.

4. The Managing Director,
Arasu Rubber Corporation Limited,
Nagercoil, Kanyakumari District.

+4CC TO MR.L.VICTORIA GOWRI, Advocate Sr. No.101079
+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No. 100549

W.P. (MD) Nos.22524, 22526, 22656 and 22659 of 2019
21.11.2019

PM(CO)

TR(05.12.2019) 3P 10C