



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 29.11.2019**

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD) Nos.25417 & 25419 of 2019

WEB COPY

1.G.M.Gladwin ... Petitioner in W.P(MD).No.25417 of 2019
2.K.Pothiraj ... Petitioner in W.P(MD).No.25419 of 2019

-Vs-

The Commissioner
Tuticorin City Municipal Corporation
Tuticorin, Tuticorin District ... Respondent in both petitions

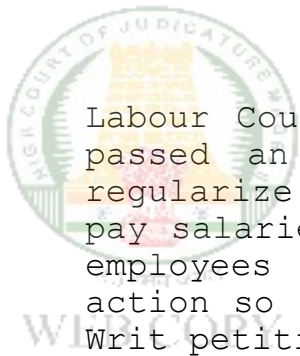
COMMON PRAYER: These Writ Petitions have been filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent Tuticorin Municipal Corporation to consider and pass orders on the representation of the petitioner dated 23.10.2019 along with his reminder dated 11.11.2019.

For Petitioners : Mr.T.Cibi Chakraborty
(In both petitions)
For Respondent : Mr.S.Shaji Bino
(In both petitions)

COMMON ORDER

These Writ petitions have been filed for a direction to the respondent Tuticorin Municipal Corporation to consider and pass orders on the representation of the petitioners dated 23.10.2019 along with their reminder dated 11.11.2019.

2.According to the petitioners, as per instructions of the Commissioner of Municipal Administration, the then Tuticorin Municipality, created seven Wiremen Posts. The petitioners were appointed as Wiremen in the said created post on time scale of pay fixed by the then Tuticorin Municipality, through Employment Exchange, vide its proceedings in E2/21489/89, dated 04.10.1989. In pursuance thereof, the Commissioner of Municipal Administration, vide his letter No.28481/P4/92-6 dated 01.04.1993, made all the post of Wiremen and Helpers permanent w.e.f. 01.04.1993. Later, the Chief Electrical Inspector of Government, Head of the Department of Tamil Nadu Electrical Inspectorate vide his proceedings in Ka.No.Mu.Mu.25810/E3/95, dated 07.11.1995, informed the respondent that the petitioners were qualified to the post of Wireman. But, even thereafter, despite the petitioners repeated representations to the respondent, the respondent did not take any steps to regularize their service with effect from 01.04.1993. Thereafter, the Workers Union instituted a Labour Dispute in I.D.No.146 of 1995 before the



Labour Court, Tirunelveli. After hearing the case, the Labour Court passed an award, dated 15.12.2003, directing the respondent to regularize the service of the petitioners w.e.f. 01.04.1993 and to pay salaries and all attendant benefits on par with other permanent employees w.e.f. 01.04.1993. But the respondent did not take any action so far. Hence, the petitioners have come up with the present Writ petitions.

3. Heard the learned counsel appearing for the petitioners and the learned counsel appearing for the respondent and perused the materials available on record.

4. Considering the nature of relief sought for by the petitioners, without going into the merits of the case, the respondent is directed to consider the representation of the petitioners, dated 23.10.2019 and pass orders on merits and 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, these Writ Petitions are disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar (CS)

msa

To

The Commissioner
Tuticorin City Municipal Corporation
Tuticorin, Tuticorin District

+1 CC to MR.S. SAJI BINO, Advocate (SR-102569[F] dated 29/11/2019)
+2 CC to MR.T. CIBICHAKABORTHY, Advocate (SR-102747[F] dated 29/11/2019)

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29.11.2019

MK (31.12.2019) 2P 5C