

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.14242 of 2019

ORDER:

With the consent of both the parties, this Writ Petition is being disposed of at the admission stage.

2. This Writ Petition is filed seeking a Writ of Mandamus declaring the inaction of the 2nd respondent in forwarding proposals dated 28-11-2018, sent by the 4th respondent, to the 1st respondent to regularize the services of the petitioners in the vacancies of last grade posts by withholding since seven months without any legally valid reasons by ignoring the instructions of the Principal Secretary dated 14-03-2019 as illegal, unconstitutional and sought a consequential direction to 2nd respondent to forward the said proposals to the 1st respondent to regularize their services as per G.O.Ms.No.212 dated 22-04-1994 by granting arrears of pay, seniority with retrospective effect by awarding exorbitant costs against the 2nd respondent for forcing the petitioners to approach this Court due to his inaction.

3. Heard Sri Ch.Ganesh, learned counsel for the petitioners and the learned Government Pleader for Services-II appearing for respondents.

4. The petitioners contend that they are working in the last Grade Service since 1984 to 1988 and all the petitioners fulfill all the conditions as set out in G.O.Ms.No.212 dated 22-04-1994, but the respondents have not considered their cases for regularization in terms of

the above said G.O. The 4th respondent had submitted the proposals to the 2nd respondent for regularizing the services of the petitioners, but 2nd respondent has not forwarded the proposals to the 1st respondent so as to enable the 1st respondent to regularize the services of the petitioners.

5. Learned Government Pleader for Services-II submits that the 2nd respondent will submit the proposals to the 1st respondent within a reasonable period of time and thereafter, the 1st respondent will consider the cases of the petitioners in accordance with G.O.Ms.No.212 dated 22-04-1994.

6. Having regard to the rival submissions made by the parties, this Court is of the considered view that the Writ Petition can be disposed of directing the 2nd respondent to forward the proposals submitted by the 4th respondent to the 1st respondent within a period of four weeks and upon the proposals being received by the 1st respondent, the 1st respondent shall consider the said proposals in terms of the G.O.Ms.No.212 dated 22-04-1994 and pass appropriate orders in accordance with law within a period of eight weeks thereafter.

7. With these observations, the Writ Petition is disposed of. No costs.

8. As a sequel, the miscellaneous petitions pending, if any, shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

Date: 11-07-2019
kvr