

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.46186 of 2018

ORDER :

The petitioners are all working as Daily Wage workers for the last more than two decades and they are aggrieved by the action of the respondents in not regularising their services as NMRs in terms of the judgment dated 02.11.2018 rendered by this Court in W.P.No.39548 of 2018.

Learned counsel for the petitioners submits that the issue raised in this writ petition is squarely covered by the judgment dated 02.11.2018 rendered by this Court in W.P.No.39548 of 2018 and contends that appropriate orders be passed in the writ petition directing the respondents to consider the cases of the petitioners for regularisation of their services as NMRs in terms of G.O.Ms.No.212, dated 22.04.1994 by duly taking into account the judgment rendered by the Hon'ble Supreme Court in B. SRINIVASULU v. NELLORE MUNICIPAL CORPORATION in Civil Appeal No.6318 of 2015, dated 17.08.2015, and also the orders passed in W.P.No.33936 of 2011 and batch, dated 02.05.2018. The learned counsel also submits that the petitioners have completed 5 years of service as on the cut off date i.e., 25.11.1993 as set out in G.O.Ms.No.212, dated 22.04.1994 and they are fully eligible for regularisation of their services as NMRs. Learned counsel would further submit that

though respondent No.2 has recommended the cases of the petitioners to respondent No.1 for regularisation of their services, respondent No.1 is not passing any orders regularising the services of the petitioners and contends that appropriate orders be passed in the writ petition.

The learned Government Pleader for Services appearing for the respondents has not disputed about the applicability of the judgment dated 02.11.2018 rendered by this Court in W.P.No.39548 of 2018 and contends that appropriate orders would be passed considering the cases of the petitioners for regularisation of their services in terms of G.O.Ms.No.212, dated 22.04.1994.

This Court, having considered the rival submissions made by the learned counsel for the respective parties, is of the considered view that since all the petitioners are working with the respondents since 1988 and they are fully eligible and qualified for regularization of their services in terms of G.O.Ms.No.212, dated 22.04.1994, the writ petition can be disposed of directing respondent No.1 to consider the proposal submitted by respondent No.2 and pass appropriate orders regularising the services of the petitioners as NMRs strictly in terms of G.O.Ms.No.212, dated 22.04.1994, by taking into account the judgment rendered by the Hon'ble Supreme Court in B. SRINIVASULU's case (supra) and also the orders passed in W.P.No.33936 of 2011 and batch, dated 02.05.2018. It is made

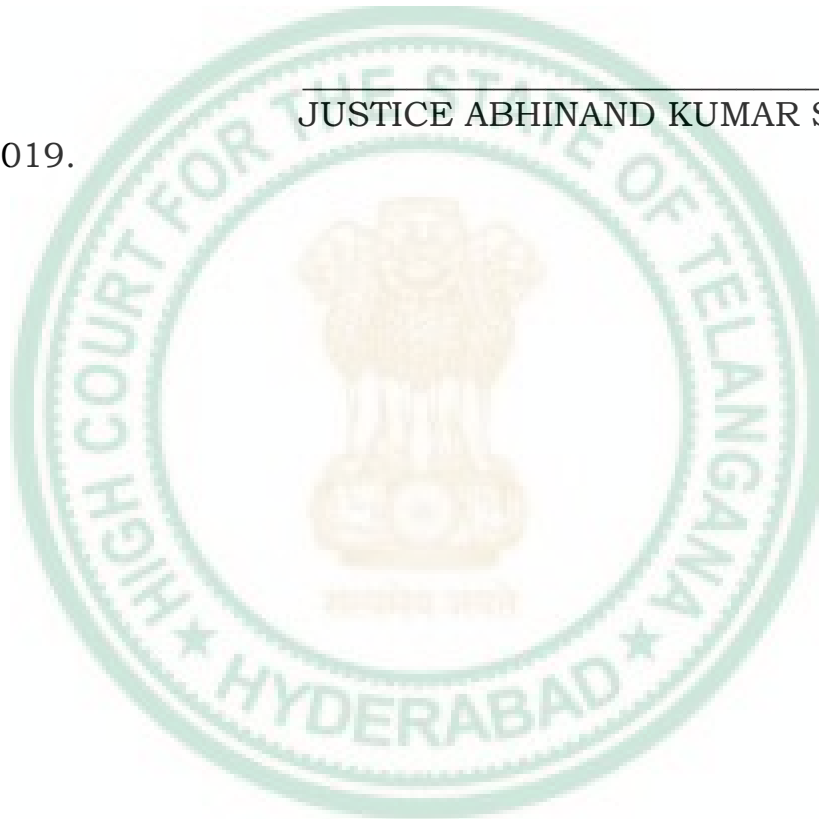
clear that the whole exercise shall be completed within a reasonable period, preferably within a period of eight (8) weeks from the date of receipt of a copy of this order.

With the above observations, the writ petition is disposed of. No order as to costs.

As a sequel, miscellaneous petitions pending, if any, in this writ petition shall stand closed.

27.02.2019.
Msr

JUSTICE ABHINAND KUMAR SHAVILI



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