

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.48001 of 2018

ORDER:

This writ petition is filed seeking a Writ of Mandamus, declaring the action of respondents in not regularizing the services of petitioners even though the petitioners have rendered more than 33 years of un-interrupted service under the control of respondents and also the action of respondents in not paying the minimum time scale of pay attached to the posts of Dhobi/Helper/Sweeper/Barber, as arbitrary and illegal.

Heard Sri Ch.Ganesh, counsel for petitioners and the Government Pleader for Women Development and Child Welfare, for respondents.

It has been contended by the petitioners that they were appointed as Dhobi/Helper/Sweeper/Barber under the control of respondents during the years from 1984 to 1987 and the petitioners have put-in more than 33 years of service. The grievance of the petitioners is that the respondents are not considering their cases for regularization of services. Counsel for petitioners further contend that the State Government has taken a policy decision wayback in 1994 vide G.O.Ms.No.212, dated 22.04.1994, to regularize all NMR daily wage employees who had rendered 5 years of service as on 25.11.1993. Counsel for petitioners contend that the petitioners fulfill all the conditions set out in G.O.Ms.No.212, dated 22.04.1994 and they are fully eligible and qualified to be regularized in the posts in which they are working. It is contended that appropriate orders be passed directing the respondents to regularize the services of

petitioners in terms of G.O.Ms.No.212, dated 22.04.1994 and also in terms of the judgment rendered by the Hon'ble Supreme Court in **B.Srinivasulu v. Nellore Municipal Corporation** in Civil Appeal No.6318 of 2015, dated 17th August 2015.

The learned Government Pleader for Services-II contend that the cases of the petitioners will be considered for regularisation in accordance with law and appropriate orders would be passed by the respondents.

This Court, having considered the rival submissions of the parties, is of the considered view that this writ petition can be disposed of directing the respondents to consider the cases of petitioners for regularization of their services in terms of G.O.Ms.No.212, dated 22.04.1994 and also the judgment of the Hon'ble Supreme Court referred supra and pass appropriate orders in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

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

Pending miscellaneous applications, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

3rd January, 2019

ajr