

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.11.2020

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.10185 of 2013

1. V.Ponnusamy
2. R.Madhavan
3. P.Jeeva
4. M.Mani
5. P.Malliga
6. K.Muthusami
7. R.Suresh

... Petitioners

Vs.

1. The Secretary to Government,
Municipal Administration
and Water Supply Department,
Fort St.George, Chennai - 600 009.
2. The Commissioner of Municipal Administration,
Chepauk, Chennai - 600 005.
3. The Commissioner,
Erode Corporation,
Erode.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to regularize the petitioners services after completion of the petitioners three years of services from 2001 and to pay arrears of salary and other benefits from 2004-2006 as covered by the orders of the Hon'ble High Court in WP.No.16290 of 2012 dated 31.07.2012.

For Petitioner : Mr.S.Ilamvaludhi

For R1 & R2 : Mr.S.Thangavel, Spl.GP

For R3 : Mr.M.Raja Mathivanan

ORDER

This Writ Petition has been filed by the petitioners, to direct the respondents to regularize the petitioners' services after completion of three years of services from 2001 and to pay arrears of salary and other benefits from 2004-2006 as covered by the orders of this Court in WP.No.16290 of 2012 dated 31.07.2012.

2. The case of the petitioners is that they are all appointed in the year 2001 on consolidated basis. They joined as Sweeper, Streetlight, Electrician and Helper and Turn Cock in the third respondent Corporation. According to the petitioners, they are eligible to be brought under regular time scale on completion of sufficient years of service as per G.O.Ms.No.125 Municipal Administration and Water Supply Department dated 27.05.1999 and G.O.Ms.No.21 Municipal Administration and Water Supply Department dated 23.02.2006. When the petitioners are expecting orders regularising their services, but, their services were not regularised. Hence, five of the petitioners filed writ petitions in W.P.NO.24267 and 24268 of 2004 and this Court by order dated 26.08.2004, disposed of the same, directing the respondents to dispose of their representation and pass orders in accordance with law and also in the light of G.O.Ms.No.125, Municipal Administration and Water Supply Dept., dated 27.05.1999. Pursuant to the same, the petitioners made several representations, which evoked no response. Hence, this writ petition.

3. Today, when the matter was taken up for consideration, the learned counsel appearing on either side fairly conceded that the issue raised in this writ petition fell for consideration before a Full Bench of this Court and the same was allowed leading to the filing of a review application No.254/2015, which was also dismissed. Against the said dismissal, Special Leave Petition in SLP. No.(C) 19874/2017 was filed before the Hon'ble Supreme Court, and the order of the Full Bench has been stayed by the Hon'ble Supreme Court.

4. In view of the fair stand taken by the learned counsel appearing for the parties, this Court is of the considered opinion, that instead of keeping this petition pending on the file of this Court, it would suffice if a direction is issued to the respondents to grant the relief, if any, to the petitioners and other similarly placed persons, in tune with the order that is passed by the Hon'ble Supreme Court in the case pending before it.

5. Accordingly, this writ petition is disposed of, directing the respondents to grant the relief, if any, to the petitioners and other similarly placed persons, in tune with the order that is passed by the Hon'ble Supreme Court in the case pending before it. There shall be no order as to costs.

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Assistant Registrar

//True copy//

Sub Assistant Registrar

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To

1. The Secretary to Government,
Municipal Administration
and Water Supply Department,
Fort St.George, Chennai - 600 009.
2. The Commissioner of Municipal Administration,
Chepauk, Chennai - 600 005.
3. The Commissioner,
Erode Corporation,
Erode.

+1 C.C. to The Government Pleader High Court Madras SR.NO.
37403

सत्यमेव जयते

W.P.No.10185 of 2013

CA (CO)

VS 19.02.2020

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