

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.02.2020

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.Nos.14734 to 14758 of 2015

W.P.No.14734 of 2015:

V. Mani	..Petitioner in WP No.14734/15
M.Rajendran	..Petitioner in WP No.14735/15
S.Jayaseelan	..Petitioner in WP No.14736/15
K.Gopal	..Petitioner in WP No.14737/15
M.B.Sekar	..Petitioner in WP No.14738/15
T.Singaram	..Petitioner in WP No.14739/15
A.Noorullah	..Petitioner in WP No.14740/15
R.Selvarasu	..Petitioner in WP No.14741/15
U.P.Anjappa	..Petitioner in WP No.14742/15
M.Ramasamy	..Petitioner in WP No.14743/15
K.Karuppannan	..Petitioner in WP No.14744/15
V.Ramamurthy	..Petitioner in WP No.14745/15
L.K.Raju	..Petitioner in WP No.14746/15
S.M.Raman	..Petitioner in WP No.14747/15
C.Murugesan	..Petitioner in WP No.14748/15
V.Vasanth	..Petitioner in WP No.14749/15
M.Ganesan	..Petitioner in WP No.14750/15
C.Vijayakumar	..Petitioner in WP No.14751/15
M.Pappathi	..Petitioner in WP No.14752/15
V.T.Prakash	..Petitioner in WP No.14753/15
P.Perumal	..Petitioner in WP No.14754/15

P.V.Arunachalam ..Petitioner in WP No.14755/15
R.Jothiram ..Petitioner in WP No.14756/15
M.Subramani ..Petitioner in WP No.14757/15
P.Shiddhan ..Petitioner in WP No.14758/15

Vs

1. The Principal Secretary to Government,
Rural Development and Panchayat Raj Department,
Secretariat, Chennai-600 009.
 2. The Director of Rural Development and Panchayatraj,
Panagal Building,
Saidapet, Chennai-600 015.
 3. The District Collector and Chairman,
Dharmapuri District Socio Economic
Development Society, Dharmapuri - 636 705.
- ...Respondents in all the WP's

Common Prayer in W.P.14734 of 2015 to 14758 of 2015:- Writ
Petition filed under Article 226 of the Constitution of India,
praying to issue a Writ of Mandamus, directing the first
respondent herein to pass appropriate orders absorbing the
petitioner in Government service with effect from the date of
his initial appointment in Dharmapuri District Development
Corporation Limited with effect from 04.07.1978, 26.08.1983,
08.06.1979, 26.02.1982, 22.11.1982, 18.08.1980, 21.04.1982,
26.05.1980, 19.04.1977, 26.08.1976, 09.08.1979, 10.12.1984,
18.08.1980, 02.12.1979, 02.07.1979, 01.09.1984, 04.12.1980,
25.11.1978, 18.04.1983, 03.01.1976, 14.07.1992, 21.08.1980,
18.08.1980, 19.01.1979, 29.06.1979, respectively

For Petitioner : Mr.Mohd. Nazarullah

For RR 1 and 2 : Mr.J.Ramesh
Additional Government Pleader

For R3 : Mr.P.Chinnadurai

COMMON ORDER

(Since the facts are common in all the writ petitions,
it is enough to discuss facts in W.P.No.14734 of 2015).

These writ petitions have been filed by the petitioners
seeking for a direction to the first respondent herein, to
pass appropriate orders absorbing the petitioners in
Government service with effect from the date of his initial
appointment in Dharmapuri District Development Corporation
Limited with effect from 04.07.1978.

2. According to the petitioner in W.P.No.14734 of 2015, he joined the service in Dharmapuri District Development Corporation (hereinafter referred to as Corporation for the sake of brevity) as Technical Assistant on 04.07.1978. Subsequently, he was promoted as Junior Engineer with effect from 09.04.1980, he worked till 13.04.1999. Thereafter, he was promoted as Assistant Executive Engineer with effect from 14.04.1999. Subsequently, he retired from service on 31.08.2014. In the meanwhile, the Dharmapuri District Socio Economic Development Society Limited was ordered to be wound up by the Government of Tamil Nadu, vide G.O.(Ms).No.14, Rural Development Department and Land Acquisition Department, dated 21.01.2000. As per direction of the Government Order in G.O.(Ms).No.61 (SGSY), Rural Development Department dated 06.06.2003, the Government of Tamil Nadu had directed the formation of Dharmapuri District Socio Economic Development Society by stating that absorption of employees of DDDC Ltd., will be decided by the District Collector in consultation with the Rural Development Department. The District Collector, Dharmapuri, had sent two proposals to the Government through Rural Development Department for the absorption of employees of erstwhile DDDC Ltd., in Government service. Again, the District Collector, Dharmapuri, has also sent another letter dated 09.01.2005 to the first respondent through the second respondent requesting the first respondent to issue appropriate orders for regular absorption of all employees of erstwhile DDDC Ltd., in Government Service. But, no action was taken by the Government except absorbing few Jeep Drivers, Office Assistants and Night Watchmen. Thereafter, the petitioner has made representation dated 13.12.2014 to the first respondent seeking to issue appropriate orders absorbing him in Government service from the date of his initial appointment in erstwhile DDDC Ltd. Till date, no reply has been received from the first respondent. Hence, the petitioner has come forward with the present writ petition before this Court.

3. According to the learned counsel for the petitioner, the writ petitioner is entitled for the notional absorption for the aforesaid period and he is entitled for the pensionary benefits and other monetary benefits, in accordance with the Rules.

4. In view of the aforesaid submission made by the learned counsel for the petitioner as well as the earlier order passed by this Court in W.P.No.17617 of 2019, dated. 03.09.2019. Without going into the merits of the matter, this Court directs the first respondent to consider the petitioner's representation, dated 13.12.2014 and pass appropriate orders on merits and in accordance with law as expeditiously as possible, within a period of six months from the date of receipt of a copy of this order.

5. With the above directions, the writ petitions are disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CS-III)

//True copy//

Sub Assistant Registrar

msm

To

1. The Principal Secretary to Government,
Rural Development and Panchayat Raj Department,
Secretariat, Chennai-600 009.
2. The Director of Rural Development and Panchayatraj,
Panagal Building, Saidapet, Chennai-600 015.
3. The District Collector and Chairman,
Dharmapuri District Socio Economic
Development Society, Dharmapuri - 636 705.

+25ccs to Mr.P.Chinnadurai, Advocate SR.No.15355, 15356,
15357, 15358, 15359, 15360, 15361, 15362, 15363, 15364, 15365,
15366, 15367, 15368, 15369, 15370, 15371, 15372, 15373, 15374,
15375, 15376, 15377, 15378, 15379

+1cc to Mr.K.V.Shamuganathan, Advocate SR.No.15017

+1cc to Government Pleader SR.No.15405

सत्यमेव जयते W.P.Nos.14734 to 14758 of 2015

AD(CO)
GMY(18/06/2020)

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