

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.02.2020

CORAM:

THE HONOURABLE Mr. JUSTICE N. ANAND VENKATESH

W.P.No.3432 of 2020

P.James

... Petitioner

-Vs-

1.The Principal Secretary to Government
Municipal Administration and
Water Supplies Department,
Fort St George, Chennai 600 009.

2.The Commissioner
Corporation of Chennai
Rippon Buildings, Chennai 600 003.

3.The Zonal Officer
Corporation of Chennai
Zone XIV, Puzhuthivakkam
Chennai 600091.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of mandamus directing the respondents herein to regularise the services of the petitioner on completion of 3 years of service from date of his original appointment ie., with effect from 18.01.2010 in the light of the orders passed by the 1st respondent herein in G.O. [2D] No.64 Municipal Administration and Water Supply [MC3] Department dated 08.08.2019 and G.O.[2D] No.68, Municipal Administration and Water Supply [MC3] Department dated 27.08.2019 with all consequential service and monetary benefits within a time frame as deem fit.

For Petitioner : Mr.G.Bala

For R1 : Mr.P.S.Siva Shanmuga Sundaram
Special Government Pleader

For RR2&3 : Mrs.Karthika Ashok
Standing counsel

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the respondents to extend the benefit of G.O.2D.No.64, Municipal Administration and Water Supplies (MC 3) Department dated 08.08.2019 and G.O.2D.No.68, Municipal Administration and Water Supplies (MC 3) Department dated 08.08.2019, by regularizing the service of the petitioner.

2. The case of the petitioner is that he has been continuously working on a full time basis for the past 23 years without any break. Similarly placed persons had approached this Court and filed WP No.17858 of 2014, seeking for regularization of their service. This writ petition was disposed of by issuing directions to the respondents to consider regularizing the service of the petitioners therein. This was confirmed in Appeal and further confirmed before the Hon'ble Supreme Court.

3. It is the case of the petitioner that pursuant to the orders passed by this Court, the 1st respondent has passed G.O. (2D) No.64, Municipal Administration and Water Supplies (MC3) Department dated 08.08.2019 and G.O.(2D) No.68, Municipal Administration and Water Supplies (MC 3) Department dated 27.08.2019 and the services of those petitioners were regularized.

4. The petitioner had also made a representation to the respondents to treat him similarly and extend the benefit of regularization of service. The representation was given by the petitioner on 16.10.2019. Since, it was not considered and no orders were passed, the present writ petition has been filed before this Court, seeking for appropriate directions.

5. It is also brought to the notice of this Court that a similar writ petition was filed in WP No.32999 of 2019 before this Court and this Court passed an order on 26.11.2019, directing the respondents to consider and dispose of the representation given by the petitioners therein.

6. Heard the learned counsel for the petitioner and the learned respective counsel appearing on behalf of the respondents.

7. Taking into consideration the facts and circumstances of the case and also the limited relief that has been sought for in this writ petition, there shall be a direction to the 2nd respondent to forward the representation made by the petitioner

on 16.10.2019, along with all the service particulars to the 1st respondent, within a period of six weeks from the date of receipt of a copy of this order and the 1st respondent shall thereafter pass orders strictly in accordance with law and in accordance with above GOs, within a period of six weeks thereafter. The petitioner is directed to make a fresh representation to the 2nd respondent along with a copy of the representation dated 16.10.2019 and also a copy of this order. A copy of the said representation shall also be marked to the 1st respondent.

8. This writ petition is disposed of with the above directions. No costs.

Sd/-
Assistant Registrar (CS III)

//True Copy//

Sub Assistant Registrar

To

1. The Principal Secretary to Government
Municipal Administration and
Water Supplies Department,
Fort St George, Chennai 600 009.
2. The Commissioner
Corporation of Chennai
Rippon Buildings, Chennai 600 003.
3. The Zonal Officer
Corporation of Chennai
Zone XIV, Puzhuthivakkam
Chennai 600091.

+1cc to M/s.G.Bala & Daisy, Advocate Sr.11123
+1cc to the Government Pleader Sr.11809

W.P.No.3432 of 2020

rr[co]
srg 16/07/2020