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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

WP.No.15056 of 2021

[Video Conferencing]

1. A.Elanchezhiyan
2. S.Ramesh
3. S.Senthilkumar
4. G.Suresh
5. K.Subramani
6. V.Jones Manova
7. K.R.Ganesan

.. Petitioners

Vs.

1. The Commissioner
Greater Chennai City Corporation
Rippon Building,
Chennai 600 003.
2. The Superintending Engineer
Mechanical Engineering Department
Greater Chennai City Corporation
Chennai.
3. Joint Director,
Local Fund Audit
Greater Chennai City Corporation
Chennai 600 003.

.. Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a writ of mandamus directing the respondents herein to regularise the services of the petitioners ad Drivers with effect from 13.12.1995 as per the proposal sent by the 3rd respondent herein in his proceedings Na.Ka.No.3648/2018/E1 dated 18.09.2018 based on the Resolution No.2984/95 dated 13.12.1995 of the Greater Chennai Corporation, together with all consequential service and monetary benefits within a time frame as deem fit and proper by this Court.



For Petitioners : M/s.G.Bala and Daisy

For RR 1 to 3 : Mr.M.Ganesan
Standing counsel

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ORDER

1. By consent, the writ petition is taken up for final disposal and disposed of by this order.
2. Mr.M.Ganesan, learned Standing counsel accepts notice on behalf of the respondents.
3. The petitioners have filed the present writ petition seeking for a mandamus to direct the respondents the respondents herein to regularise the services of the petitioners ad Drivers with effect from 13.12.1995 as per the proposal sent by the 3rd respondent herein in his proceedings Na.Ka.No.3648/2018/E1 dated 18.09.2018 based on the Resolution No.2984/95 dated 13.12.1995 of the Greater Chennai Corporation, together with all consequential service and monetary benefits within a time frame.
4. The case of the petitioners is that they were appointed as Drivers through the Employment Exchange in the year 1993 and that their services ought to have been regularised from the year 1998 and however, their services have not been regularised despite the fact that the 1st respondent has passed a Resolution on 13.12.1995 in the General Body Meeting to grant regularisation with effect from the said date. The petitioners state that the 3rd respondent has also sent a proposal to the 2nd respondent on 18.09.2018 to consider the case of the petitioners. But, no orders have been passed so far. Stating that respondents 1 and 2 ought to have considered the issue based on the proposal submitted by the 3rd respondent, the petitioners have approached this Court by filing the present writ petition.
5. The learned counsel for the petitioners would state that the petitioners will be satisfied if a direction is issued to the respondents 1 and 2 to consider the proposal submitted by the 3rd respondent dated 18.09.2018 and to pass appropriate orders on merits within a stipulated time.
6. This Court heard the submissions of the learned Standing counsel appearing for the respondents and also perused the materials placed.
7. Though the petitioners prayed for a larger relief, this



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Court, considering the request made by the learned counsel for the petitioners now before this Court and without expressing any opinion on the merits of the petitioners' claim or the case projected by them in this writ petition, directs the 1st and 2nd respondents to consider the proposal submitted by the 3rd respondent dated 18.09.2018 recommending the case of the petitioners for regularisation and pass orders within a period of twelve weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioners herein.

8. The writ petition stands disposed of accordingly. No costs.

Sd/-
Assistant Registrar (CS-VIII)

// True Copy //

Sub Assistant Registrar

AP

To

1. The Commissioner
Greater Chennai City Corporation
Rippon Building,
Chennai 600 003.
2. The Superintending Engineer
Mechanical Engineering Department
Greater Chennai City Corporation
Chennai.
3. Joint Director,
Local Fund Audit
Greater Chennai City Corporation
Chennai 600 003.

+1cc to Mr.G.Bala & Daisy, Advocates, S.R.No.35847

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AD(CO)
SU(23/08/2021)