

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

WP.Nos.15655 & 15659/2021

[Video Conferencing]

K.Balraj

.. Petitioner

in WP.No.15655/2021

P.Sebastian

.. Petitioner

in WP.No.15659/2021

Vs

1.The State of Tamil Nadu
rep.by its Principal Secretary
to Government, Labour & Employment
[E2] Department, Secretariat,
Chennai-9

2.The Commissioner of Labour
Teynampet, Chennai-6.

3.The Deputy Commissioner of Labour
[Conciliation-I], Dr.Balasundaram Road
RTO Compound, Coimbatore – 18.

.. Respondents
in both Writ Petitions

Common Prayer:- Writ Petitions filed under Article 226 of the
Constitution of India, praying for issuance of a writ of mandamus

directing the respondents to consider the claims of the petitioners in regard to regularization of the petitioners' services on par with their juniors for the purpose of pension based on the order of this Court in WA.No.1292/2017 dated 05.12.2017 and pass orders on the same and grant pension to the petitioners at that time of retirement.

For Petitioners in
both WPs : Mr.G.Elanchezhiyan

For Respondents in
both WPs : Mr.C.Kathiravan
Government Advocate

COMMON ORDER

1. By consent, the writ petition is taken up for final disposal and is disposed of by this order.
2. Mr.C.Kathiravan, learned Government Advocate accepts notice on behalf of the respondents.
3. The petitioners have filed the present writ petition seeking for issuance of a writ of mandamus, directing the the respondents to consider the claim of the petitioners with regard to regularization of the petitioners' services on par with their juniors for the purpose of pension based on the order of this Court in WA.No.1292/2017 dated

05.12.2017 and pass orders on the same and grant pension to the petitioners at that time of retirement.

4. Learned counsel for the petitioners would submit that the petitioners will be satisfied if a direction is issued to the respondents to consider and pass orders on their representations dated 18.12.2021 and 17.12.2021 on merits within a stipulated time frame.
5. This Court heard the rival submissions and perused the materials placed.
6. Though the petitioners have prayed for a larger relief, this Court, in the light of the facts and circumstances of the case and without going into the merits of the claim made by the petitioners either in their representations or in the writ petitions, directs the respondents to consider and dispose of the petitioners' representations dated 18.12.2021 and 17.12.2021 respectively, in the light of the Judgment passed in WA.No.1292/2017 dated 05.12.2017 and on merits and in accordance with law and pass appropriate 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 petitioner herein.
7. The writ petitions stand disposed of accordingly. No costs.

29.07.2021

AP

Internet : Yes

To

- 1.The Principal Secretary to Government,
State of Tamil Nadu, Labour & Employment
[E2] Department, Secretariat, Chennai-9.
- 2.The Commissioner of Labour
Teynampet, Chennai-6.
- 3.The Deputy Commissioner of Labour
[Conciliation-I], Dr.Balasundaram Road
RTO Compound, Coimbatore – 18.

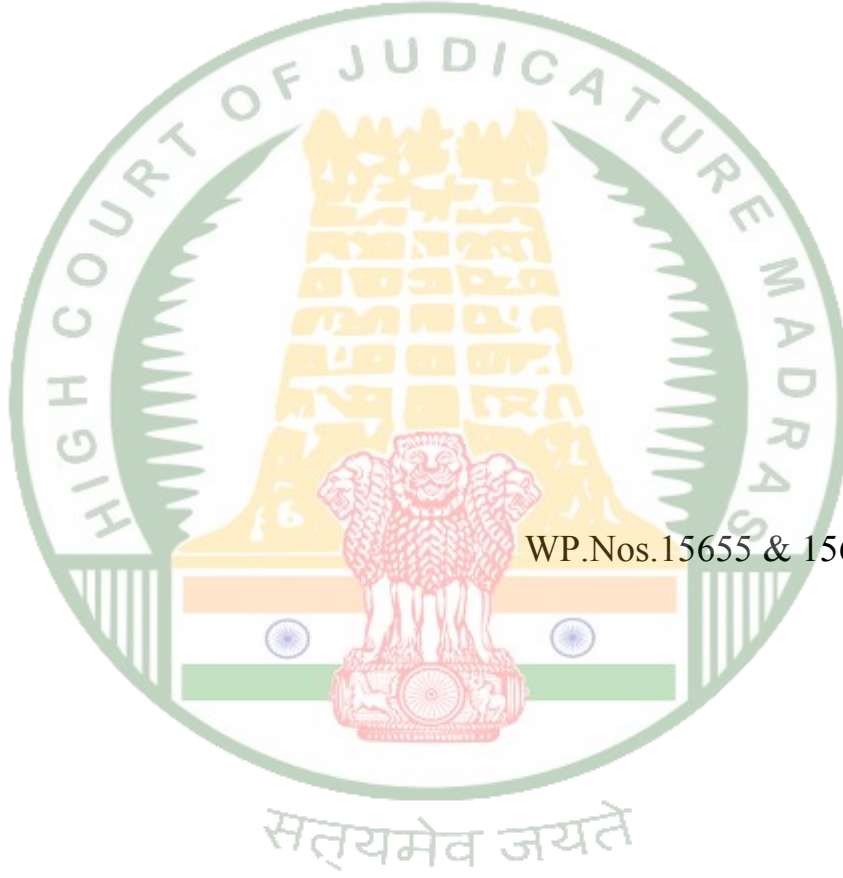


WEB COPY

WP.Nos.15655 & 15659/2021

S.S.SUNDAR, J.,

AP



WP.Nos.15655 & 15659/2021

WEB COPY

29.07.2021