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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

WP.No.16715 of 2021

[Video Conferencing]

1. Kumar
2. Vengadasalam
3. Boopathy
4. Gopi
5. Rani
6. Dhanasekaran
7. Annamalai
8. Saravanan
9. Somasundaram
- 10.Sivasakthi
- 11.Marasamy
- 12.Gunasekaran
- 13.Patchianan

.. Petitioners

Vs.

1. The State of Tamil Nadu,
Rep. By its Secretary to Government,
Highways Department, Chennai - 9.
2. The Director General,
Highways Department,
No.76, Sardar Vallabaipatel Road,
Guindy, Chennai - 25.
3. The Divisional Engineer,
Highways Department,
Erode District - 638 002.
4. The Divisional Engineer,
Highways Department,
Gopichattypalayam,
Erode District - 638 476.



5. The Assistant Divisional Engineer,
Highways Department,
Bhavani,
Erode District - 638 301.

.. Respondents

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Prayer:- Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the respondents to consider the representations dated 24.06.2021 in the light of the letter in Memo No.2/07/A1 dated 28.01.2008 issued by the 5th respondent and direct the respondents to appoint the petitioner herein in the existing or future vacancies as Gang Mazdoor in regular time scale of pay in consonance with the orders passed by this Court in WP.Nos.911 to 937/ 2009 dated 18.06.2009 which was upheld by the Division Bench of this Court in Review Application Nos.30/2012 to 37/2012 and 116/2012 to 134/2012 Order dated 21.06.2012 and 06.08.2012 confirmed by the Supreme Court in SLP in CC.Nos.22523/2012 to 22530/2012 dated 29.07.2013.

For Petitioners : Mr.S.Packiaraj

For Respondents : Mr.C.Kathiravan
Government Advocate

ORDER

By consent of the learned counsel on either side, these Writ Petitions are taken up for final disposal.

2. Mr.C.Kathiravan. learned Government Advocate, takes notice on behalf of the respondents

3. The petitioners have filed the present Writ Petition seeking for a Mandamus to direct the respondents to consider the representations dated 24.06.2021 in the light of the letter in Memo No.2/07/A1 dated 28.01.2008 issued by the 5th respondent and direct the respondents to appoint the petitioner herein in the existing or future vacancies as Gang Mazdoor in regular time scale of pay in consonance with the orders passed by this Court in WP.Nos.911 to 937/ 2009 dated 18.06.2009 which was upheld by the Division Bench of this Court in Review Application Nos.30/2012 to 37/2012 and 116/2012 to 134/2012 Order dated 21.06.2012 and 06.08.2012 confirmed by the Supreme Court in SLP in CC.Nos.22523/2012 to 22530/2012 dated 29.07.2013.



4. This Court heard the submissions of the learned counsel for the petitioners and also perused the materials placed before it.

5. This Court, considering the limited scope of prayer sought for by the petitioners and without expressing any opinion on the merits of the petitioners' representation or the case projected by them in this writ petition, directs the respondents 3 to 5 to consider and dispose of the petitioners' representation dated 24.06.2021 on merits and in accordance with law 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.

6. The Writ Petition stands disposed of accordingly. No costs.

Sd/-
Assistant Registrar (CS-VII)

// True Copy//

Sub Assistant Registrar

gv

To

1. The State of Tamil Nadu,
Rep. By its Secretary to Government,
Highways Department, Chennai - 9.
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5. The Assistant Divisional Engineer,
Highways Department,
Bhavani,
Erode District - 638 301.

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+1cc to the Government Pleader, S.R.No.41088

WP.No.16715 of 2021

PL(CO)
SU(03/09/2021)