

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.01.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.17336 of 2014

M.Iyyappan

...Petitioner

Vs

1.The Secretary to Government,
The State of Tamil Nadu,
Municipal Administration and
Water Supply Department (MAWS),
Secretariat, Fort St.George,
Chennai - 600 009.

2.The Commissioner of Municipal Administration,
Chepauk,
Chennai - 600 005.

3.The Commissioner,
Villupuram Municipality,
Villupuram.

...Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the Respondents to regularize the service of the Petitioner with time scale of pay in the post of Sanitary Worker in the 3rd Municipality from the date on completion of three years of service on consolidated pay on 09.05.2001 as per G.O.Ms.No.71 MAWS Department dated 05.05.1998 with consequential and other attendant benefits including arrears of salary from the date of regularization by considering the representations submitted by the Petitioner dated 17.09.2013 within a time frame to be fixed by this Honourable Court.

For Petitioner : Mr.G.Sankaran

For R1 & R2 : Mr.Mr.A.N.Thambidurai
Special Government Pleader

For R3 : Mr.P.Srinivas

ORDER

The relief sought in this writ petition is to direct the respondents to regularize the service of the Petitioner in the time scale of pay of Sanitary Worker post from the date of completion of three years of service i.e., on 09.05.2001 as per G.O.Ms.No.71 MAWS Department dated 05.05.1998 with consequential and other attendant benefits including arrears of salary by considering the representation dated 17.09.2013 within a time frame to be fixed by this Court.

2.Today, when the matter was taken up for consideration, the learned counsel for the petitioner on instructions, submitted that the petitioner is no more and hence, liberty may be given to his legal heirs to approach the respondents afresh with respect to the claim made by the petitioner, for which, there is no serious objection on the side of the respondents.

3.Considering the facts and circumstances of the case and having regard to the submissions now made by the learned counsel on either side, this Court permits the legal heirs of the petitioner to approach the respondents with a fresh representation within a period of two weeks from the date of receipt of a copy of this order. On such approach, the respondents shall consider the same and pass appropriate orders on merits and in accordance with law, within a period of six weeks thereafter.

4.Accordingly, this writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar (CS-VI)

//True Copy//
Sub Assistant Registrar

msv

To

- 1.The Secretary to Government,
The State of Tamil Nadu,
Municipal Administration and
Water Supply Department (MAWS),
Secretariat, Fort St.George,
Chennai - 600 009.

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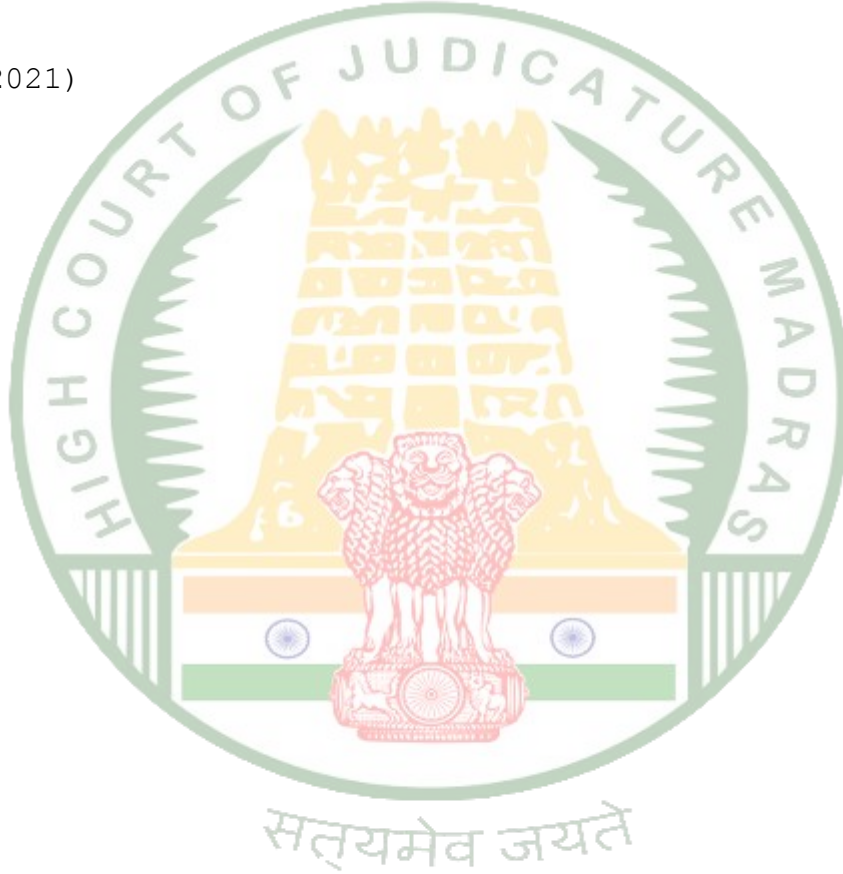
2.The Commissioner of Municipal Administration,
Chepauk,
Chennai - 600 005.

3.The Commissioner,
Villupuram Municipality,
Villupuram.

+1cc to M/s.G.Sankaran, Advocate SR.3881
+1cc to the Government Pleader SR.4222

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SKY(CO)
CB(29/03/2021)



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