



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.03.2021

CORAM:

THE HONOURABLE **MR.JUSTICE M.DHANDAPANI**

W.P. (MD)Nos.20954 and 20955 of 2016

and

W.M.P. (MD) .Nos.14955 and 14956 of 2016

1.B.Noorjahan .. Petitioner in W.P.(MD).No.20954/2016

2.K.Ravikumar .. Petitioner in W.P.(MD).No.20955/2016

Vs

The Madurai Kamaraj University,

Rep., by its Registrar,

Madurai,

Madurai District.

.. Respondent in both writ petitions

Common Prayer: Writ Petitions filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent University to regularize the petitioners' service as Clerk/Junior Assistant, w.e.f., the date of the completion of her 10 years of service as Consolidated Pay Casual Labourer (CPCLR) ie., on 14.11.2015 and sanction and release all attendant benefits therein, within a reasonable time as may be fixed by this Court.

In both writ petitions:

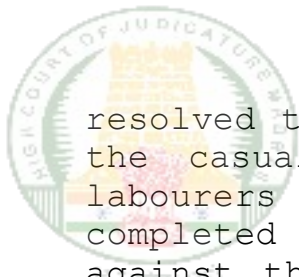
For Petitioner : Mr.Mahaboob Atif
for M/s.Ajmal Associates

For Respondent : Mr.T.Sakthi Kumaran

COMMON ORDER

These petitions have been filed to direct the respondent University to regularize the petitioners' service as Clerk/Junior Assistant, w.e.f., the date of the completion of her 10 years of service as Consolidated Pay Casual Labourer (CPCLR) ie., on 14.11.2015 and sanction and release all attendant benefits therein, within a stipulated time.

2. The case of the petitioners is that the petitioners were appointed as Casual Labourer(CLR) on daily wages basis in the respondent University and in the year 2005, they were appointed as Consolidated Pay Casual Labourer(CPCLR). Thereafter, the Finance Committee of the University in its meeting held on 12.08.2005,



resolved to recommend to the Syndicate of the University to place the casual labourers on consolidated pay (CPCLRs) and casual labourers on daily wages (CLRs) working in the University, who had completed ten years of service, in regular time scale of pay as against the existing vacant posts. The same was approved by the Syndicate in its resolution dated 02.09.2005. Even after completion of 10 years, the petitioners services were not regularised. Hence, they jointly sent a representation on 30.09.2016 for the above said relief. But so far no order was passed. Hence the petitioners approached this Court with these writ petitions.

3. Learned counsel for the petitioners would submit that it would suffice, if the representation of the petitioners dated 30.09.2016 is disposed of by the respondents at the earliest.

4. Learned counsel appearing for the respondent has no serious objection to consider the petitioners' representation, in accordance with law.

5. In view of the limited scope of the prayer sought for by the petitioner, this Court, without expressing any opinion on the merits of the matter, directs the respondent to consider the representation dated 30.09.2016 submitted by the petitioners and to pass appropriate orders thereon on merits and in accordance with law within a period of twelve(12) weeks from the date of receipt of a copy of this order.

6. With the above direction, these Writ Petitions are disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

PJL

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To

The Registrar,
The Madurai Kamaraj University,
Madurai,
Madurai District.

+1 CC to Mr.T.Sakthi Kumaran, Advocate SR.No.9969
+1 CC to Mr.Ajmal Associates, Advocate SR.No. 9936

W.P. (MD) .No.20954 and 20955 of 2016
09.03.2021

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TR(17.05.2021) 3P 4C