



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.03.2021

CORAM:

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

W.P. (MD)No.7107 of 2016

WEB COPY

- 1.P.Periasamy
- 2.C.Mathanagopal
- 3.P.Vellathai
- 4.M.Adaickan

... Petitioners

Vs.

- 1.The Secretary to Government of Tamil Nadu,
Highways Department,
Secretariat,
Chennai - 9.
- 2.The Director General,
Highways Department,
Chepauk,
Chennai -5.
- 3.The Divisional Engineer,
Highways Department,
Dindigul.

... Respondents

Prayer:Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to appoint the petitioners herein in the existing or future vacancies as Gang Mazdoors in Regular Time Scale of Pay, in the light of the orders of this Court in W.P.Nos.14617, 14619 and 14620 of 2012 which was upheld by the Division Bench of this Court in W.A.Nos.685 to 687 of 2013 which was implemented by the respondents, by order dated 26.04.2013 and confirmed by the Honourable Supreme Court in S.L.P. Nos.16368 to 16370 of 2013 and also the orders passed in W.A.No.1954 of 2012, dated 04.02.2016 and to extend the benefit of similarly placed persons.

For Petitioners : Mr.S.Govindan

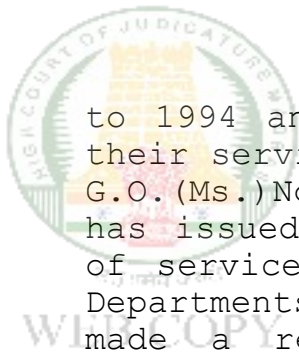
For Respondents : Mr.M.Muthugeethayan

Special Government Pleader

O R D E R

This writ petition has been filed for a direction to the respondents to appoint the petitioners, in the existing or future vacancies as Gang Mazdoors in regular time scale of pay, in the light of the order of this Court in W.P.Nos.14617, 14619 and 14620 of 2012 and to extend the benefit of similarly placed persons.

2. The learned counsel appearing for the petitioners would submit that the petitioners were working as NMRS from the year 1980



to 1994 and they have rendered more than 10 years of service and their services were not regularised. He would further submit that in G.O.(Ms.)No.74, P & AR Department, dated 27.06.2013, the Government has issued detailed instructions with regard to the regularisation of service of the daily wage employees working in all Government Departments. In order to avail such a benefit, the petitioners have made a representation to the first respondent on 23.02.2016. However, till date, the same was not considered. Hence, this Court may issue a direction to the first respondent to dispose of the representation of the petitioner, dated 23.02.2016, on merits and in accordance with law, within a specified period.

3. The learned Special Government Pleader appearing for the respondents has no serious objection for such an order being passed by this Court.

4. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs the first respondent to consider the petitioners' representation, dated 23.02.2016, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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To

1.The Secretary to Government of Tamil Nadu,
Highways Department,
Secretariat,
Chennai - 9.

2.The Director General,
Highways Department,
Chepauk,
Chennai -5.

3.The Divisional Engineer,
Highways Department,
Dindigul.

+1 CC to M/s.SPL GP (SR-13562[F] dated 25/03/2021)

W.P. (MD)No.7107 of 2016

24.03.2021

GS (28.04.2021) 2P 5C