



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED :09.03.2021**

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P. (MD)No.21041 of 2017

- 1.C.Muthumani
- 2.A.Boominathan
- 3.M.Panchavarnam
- 4.K.Muthu
- 5.S.Nagarajan
- 6.S.Kulandhai
- 7.K.Rajendran
- 8.S.Karuppan
- 9.N.Ravi
- 10.S.Esagu
- 11.S.Muthammal
- 12.N.Pappa
- 13.A.Nagarajan
- 14.B.Ravi
- 15.A.Muniyandi
- 16.K.Selvi
- 17.K.Sonai
- 18.M.Pichai
- 19.K.Murugesan
- 20.B.Murugan
- 21.M.Sornavalli
- 22.S.Chinnapa

.. Petitioners

Vs

1.The Principal Secretary to the Government,
Department of Municipal Administration and Water Supply,
Fort St.George,
Chennai-9.

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

3.The Commissioner,
Paramakudi Municipality,
Paramakudi,
Ramanathapuram District.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the
Constitution of India, to issue a Writ of Mandamus, directing the



respondents to regularize the services of the petitioners in the post of Sanitary Workers from the date of initial appointment, ie., 15.06.1998 and provide all the consequential benefits including pension in the light of the Proceedings of the Commissioner of Paramakudi Municipality vide Na.Ka.No.C1.3270/99 dated 23.03.2000 and the Judgment passed by this Court in Secretary to Government vs. V.Marisamy and others dated 30.05.2017 within the time stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy
For Respondents 1 & 2 : Mr.M.Muthugeethayan
Special Government Pleader
For Respondent No.3 : M.Kannan

O R D E R

The prayer sought for in the present writ petition is for a direction to the respondents to regularize the services of the petitioners in the post of Sanitary Workers from the date of initial appointment, ie., 15.06.1998 and provide all the consequential benefits including pension in the light of the Proceedings of the Commissioner of Paramakudi Municipality vide Na.Ka.No.C1.3270/99 dated 23.03.2000 and the Judgment passed by this Court in Secretary to Government vs. V.Marisamy and others dated 30.05.2017 within the time stipulated by this Court.

2. The case of the petitioners is that the petitioners were appointed as Sanitary Workers in the year in the year 1998 in the third respondent Municipality. After completion of one year service they were brought into time scale of pay from the year 1999 and the first petitioner retired on 30.06.2017 and rest of the petitioners are working in the third respondent Municipality. At this juncture, the petitioner came to know that several similarly placed persons, who got retired were denied pension benefits by stating that they were not regularized. Hence, the petitioners made a representation on 21.07.2017 to the respondents for regularization and monetary benefits. Again, the petitioners sent another representation on 23.10.2017 to grant the said relief in the light of the Proceedings of the Commissioner of Paramakudi Municipality dated 23.03.2000 and the Judgment passed by this Court in Secretary to Government vs. V.Marisamy and others dated 30.05.2017. But no order was passed till date. Hence, this writ petition.

3. The learned counsel for the petitioners would submit that it would be suffice, if a direction is issued to the second respondent to consider the representation of the petitioners dated 23.10.2017 and pass orders within a reasonable time as fixed by this Court.



4. Per contra, the learned Special Government Pleader appearing for the respondents 1 and 2 has no serious objection to consider the request of the petitioners.

5. Heard the learned counsel appearing for the petitioners as well as the learned Special Government Pleader appearing for the respondents 1 & 2.

6. 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 respondents to consider the representation dated 23.10.2017 submitted by the petitioner 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.

7. With the above directions, this writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(P&A)

// True Copy //

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Sub Assistant Registrar(CS)

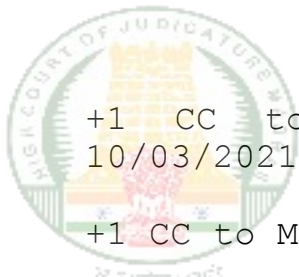
Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Principal Secretary to the Government,
Department of Municipal Administration and Water Supply,
Fort St.George,
Chennai-9.

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

3.The Commissioner,
Paramakudi Municipality,
Paramakudi,
Ramanathapuram District. .



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+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-9900[F] dated 10/03/2021)

+1 CC to M/s.SPL GP (SR-10201[F] dated 10/03/2021)

+1 CC to M/s.SPL GP (SR-10182[F] dated 10/03/2021)

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AS(12.05.2021) 4P 7C