



W.P.No. 12331 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 08.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.12331 of 2022 and
WMP No.11779 of 2022

1. L. Ilangovan
2. R.Srinivasan
3. B.Jothi

... Petitioners

Vs.

1. Union of India,
Rep. by Government of Puducherry,
Chief Secretariat, Puducherry 605 001.
2. The Director, Local Administration Department,
Pondicherry 605 001.
3. The Commissioner, Oulgaret Municipality,
Jawahar Nagar, Puducherry 605 005.

... Respondents

Prayer Writ petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Mandamus, directing the respondents to pay the arrears of difference in wages by the virtue of implementation of temporary status from the respective dates of eligibility of the petitioners, based on the petitioner's representations dated 16.02.2022.



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For Petitioner : Mr.D.Sreenivasan

For Respondents : M/s G.Djearany, Govt.Advocate
(Pondicherry)

ORDER

By consent of counsels to both the parties, this writ petition is disposed of today at the admission stage itself.

2. The relief sought for in the writ petition is for a Mandamus seeking direction to the respondent to pay the arrears of difference in wages by the virtue of implementation of temporary status from the respective dates of eligibility of the petitioners, based on the petitioner's representations dated 16.02.2022.

3. The case of the petitioner in brief.

The petitioners were engaged as Daily-wages Sanitary Workers in the year 1991 and 1995 under the third respondent Municipality and later, their service was regularised in the year 2002. According to the petitioners, they are eligible for grant of temporary Status on completion of one/three years of service, as per the office



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memorandum dated 11.09.1993. But the petitioners were belatedly brought in regular establishment w.e.f. 14.02.2002 and 01.06.2002 and hence, they were deprived of benefits of Temporary Status, such as annual increments, bonus, GPF, pension benefits etc. Therefore, the petitioners gave representation dated 16.02.2022, requesting the respondents to confer temporary status to the petitioners, on par with the similarly placed persons, with effect from 05.04.1995 and 12.06.1996. But the respondents have not considered it. Hence, the writ petition.

4. The learned Government Advocate (Puducherry), appearing for the respondents submitted that the representations of the petitioners will be considered by the authorities concerned and appropriate orders will be passed on merits.

5. Inview of the above submission and also considering the limited scope of prayer, this court is inclined to pass the following order.



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i) The third respondent is directed to consider the representations of the petitioners dated 16.02.2022 and to pass orders on its own merits, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above directions, this writ petition is disposed of. No costs.

08.06.2022
(1/2)

Index:Yes/No
Internet:Yes/No
mst

To

1. Union of India,
Rep. by Government of Puducherry,
Chief Secretariat, Puducherry 605 001.
2. The Director, Local Administration Department,
Pondicherry 605 001.
3. The Commissioner, Oulgaret Municipality,
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