



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.06.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.4835 of 2014

1.A.Rathinam

2.D.Gnanasingh

3.K.Chinnasamy

4.A.Ramachandran

...Petitioners

Vs.

1.Commissioner of Municipality,
VIth Floor, Chepauk,
Chennai.

2.Assistant Commissioner of Municipality,
Coimbatore Division,
Kumaran Commercial Complex,
Tiruppur,
Coimbatore District.

3.The Executive Officer,
Kurichi IIIrd Grade Municipality,
Pothanur, Coimbatore - 23.

...Respondents

Prayer : Writ Petition filed Under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus, Calling for the records relating to the proceedings of the 3rd respondent dated 14.09.2011 in Na.Ka.No.736/2006/A6 and quash the same and consequently direct the respondents to extend the benefit of the G.O.Ms.No.570, Municipal Administration and Water Supply Department, dated 15.11.2010 to the petitioners by bringing them into regular time scale of pay from the date of completion of the 3 years of service. In the light of G.O.Ms.No.199, Municipal Administration and Water Supply Department dated 12.08.1997 and G.O.Ms.No.84, Municipal Administration and Water Supply Department dated 21.05.1998 and the judgment of Division Bench dated 23.06.2010 passed in W.A.No.47/2010 with all consequential service and monetary benefits.



WEB COPY

For Petitioner : Mr.V.Gangatharan
For Respondent : Mr.S.Saravanan
For Coimbatore Corporation

ORDER

The grievances of the writ petitioner in the present writ petition is that they are entitled for the benefit of regulation and permanent absorption on completion of three years of service in the 3rd respondent Municipality.

2. In this regard, the Government already issued orders and number of writ petitions were filed before the High Court. The Hon'ble Full Bench of this Court initially rejected the claim of the employees and in a Review Application in R.A.No.223 of 2015 dated 30.05.2017, the claim of the employees were considered by the Hon'ble Full Bench of this Court. The said judgment was taken by way of an appeal by the respondents therein before the Hon'ble Supreme Court of India and the judgment of the Full Bench in the Review Application has been stayed by the Apex Court in Special Leave to Appeal (C).No.21935 of 2017. The appeal is pending as of now.

3. This being the factum, the case of the petitioners are to be considered only after the final disposal of the appeal now pending before the Hon'ble Supreme Court of India. It is needless to state that the judgment of the Hon'ble Supreme Court to be passed is to be acted upon for the purpose of considering the claim of the writ petitioners.

4. With these observations, the writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS-IV)

// True Copy //

Sub Assistant Registrar

kak

To

1.Commissioner of Municipality,
VIth Floor, Chepauk,
Chennai.



2. Assistant Commissioner of Municipality,
Coimbatore Division,
Kumaran Commercial Complex,
Tiruppur,
Coimbatore District.

WEB COPY

3. The Executive Officer,
Kurichi IIIrd Grade Municipality,
Poathanur, Coimbatore - 23.

+1cc to Mr.S.Saravanan, Advocate, Sr.No.33842

W.P.No.4835 of 2014

NR (CO)
RVM(22/06/2022)