



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.02.2022

CORAM:

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THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P (MD) No. 2325 of 2022

G.Illangovan

... Petitioner

-Vs-

1. The State of Tamil Nadu,
Through its Secretary to Government,
Public Works Department,
Fort St.George, Chennai - 600 009.
2. The Principal Chief Engineer,
Water Sources Department-cum-Chief Engineer (general),
Public Works Department,
Chepauk, Chennai - 600 005.
3. The Commissioner of Technical Education,
Directorate of Technical Education,
Chennai - 600 025.
4. The Chief Engineer,
Public Works Department,
Technical Education Circle,
Chennai - 600 025.
5. The Executive Engineer,
Public Works Department,
Technical Education Division,
Tirunelveli - 7.
6. The Executive Engineer,
Public Works Department,
Buildings C&M Division No.3,
Paramakudi, Ramanathapuram District. ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents to regularize the services of the petitioner in the Public Works Department based on the Government Orders in G.O.(Ms).No.385, Education Department dated 04.04.1989, G.O.(Ms).No.334, Public Works (C2) Department



dated 19.10.2007 and G.O.(Ms).No.134, Public Work (C2) Department dated 07.05.2010, all relating to regularization of NMR employees working in PWD Department for more than ten years.

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For Petitioner : Mr.V.R.Shanmuganathan

For Respondents : Mr.V.Nirmal Kumar
Government Advocate

O R D E R

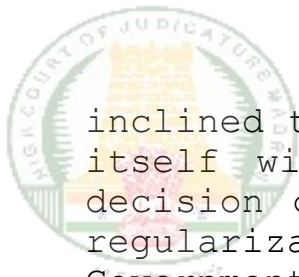
This Writ Petition has been filed praying to direct the respondents to regularize the services of the petitioner in the Public Works Department, based on the Government Orders in G.O.(Ms).No.385, Education Department, dated 04.04.1989, G.O.(Ms).No.334, Public Works (C2) Department, dated 19.10.2007 and G.O.(Ms).No.134, Public Work (C2) Department, dated 07.05.2010.

2. The learned counsel appearing for the petitioner submits that the petitioner was appointed as Non Muster Roll (NMR) in the year 1995 and he is working continuously in the Public Works Department. The State of Tamil Nadu has framed Adhoc Rules vide G.O.(Ms).No.385, Education Department dated 04.04.1989 amending the Tamil Nadu Engineering Subordinate Service Rules so as to bring NMR workers into regular establishment. The first respondent has passed G.O.(Ms).No.334, Public Works (C2) Department, dated 19.10.2007, for regularization of all NMRs' working more than ten years. He further submits that another Government Order in G.O.(Ms).No.134, Public Work (C2) Department, dated 07.05.2010 was also passed for regularization of NMR employees working for more than ten years in the Department.

3. According to the learned counsel appearing for the petitioner, the third respondent has sent a proposal for regularising the services of the petitioner to the first respondent and the same is under consideration with the first respondent.

4. Mr.V.Nirmal Kumar, learned Government Advocate takes notice for the respondents and submits that the third respondent has already sent a proposal to the first respondent and the first respondent is yet to take decision on the proposal.

<https://hcservices.courts.gov.in/hcservices/> of the rival submissions made, this Court is



inclined to dispose of the Writ Petition at the admission stage itself with a direction to the first respondent to take a decision on the proposal made by the fourth respondent on the regularization of the petitioner's services in the light of the Government Orders in G.O.(Ms).No.385, Education Department, dated 04.04.1989, G.O.(Ms).No.334, Public Works (C2) Department, dated 19.10.2007 and G.O.(Ms).No.134, Public Work (C2) Department, dated 07.05.2010, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (RECORDS)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

To

1. The Secretary to Government,
The State of Tamil Nadu,
Public Works Department,
Fort St.George,
Chennai - 600 009.
2. The Principal Chief Engineer,
Water Sources Department-cum
Chief Engineer (general),
Public Works Department,
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Public Works Department,
Technical Education Circle,
Chennai - 600 025.



5. The Executive Engineer,
Public Works Department,
Technical Education Division,
Tirunelveli - 7.

WEB COPY

6. The Executive Engineer,
Public Works Department,
Buildings C&M Division No.3,
Paramakudi,
Ramanathapuram District.

+1 CC to M/s.VR.SHANMUGANATHAN, Advocate (SR-4297[F] dated 04/02/2022)

+1 CC to M/s.SPL.GP (SR-4519[F] dated 07/02/2022)

W.P (MD) No. 2325 of 2022
04.02.2022

SS/22.03.2022 : 4P/9C