



WEB COPY



WP.No.17500 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.11.2023

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THE HONOURABLE MS. JUSTICE R.N.MANJULA

W.P No.17500 of 2020

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Petitioner

Vs.

1. The Managing Director,
Tamil Nadu Water Supply and Drainage
Board 31, Kamarajar Salai
Chepauk, Chennai-600 005.

2. The Executive Engineer,
Tamil Nadu Water Supply and Drainage Board,
Rural Water Supply Division,
NRT Nagar, Theni.

...

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of MANDAMUS directing the 1st respondent to dispose of his representation dated 17-09-2020 and to appoint him as Turn Cock or in any other post under the TWAD Board Basic Service in the existing vacancies on merits and in accordance with law within the time frame as may be fixed by this Court.

For Petitioner : Ms.M.Kamatchi Sundhari

For Respondents : M/s. S.Mekala for R1
: Mrs. R.Shahila Banu, Standing counsel for
TNWSB for R2.



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ORDER

This Writ Petition has been filed under Writ of MANDAMUS to direct the 1st respondent to dispose of his representation dated 17-09-2020 and to appoint him as Turn Cock or in any other post under the TWAD Board Basic Service in the existing vacancies on merits and in accordance with law within the time frame as may be fixed by this Court.

2. The petitioner's father, Late.K.Rasu, was appointed as Maintenance Assistant in 1988 for Combined Water Supply in Theni District. His services were transferred to Bodi Panchayat Union in 1990FN and re-transferred to TWAD Board in 1995. The petitioner's father's services were regularized based on the orders passed by the Hon'ble Madurai Bench of this Court in W.A. (MD).No.665& 666 of 2010 on 10.12.2010. The monetary benefit was granted from 01-08-2006. However, the petitioner's father passed away on 20-05-2007 due to severe illness. Thereafter, the petitioner discontinued his IXth Standard and petitioner's mother filed multiple representations with the respondents seeking appointment as Turn Cock on compassionate grounds. Despite the indigenous circumstances of petitioner's family, their representation was not considered. In the meanwhile, the Hon'ble Apex Court dismissed the respondents' S.L.P. (civil). Nos. 17707-17710/2016, challenging the W.A.(MD). No.665 &



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666/2010 passed by the Hon'ble Madurai Bench of this Court. The petitioner's mother and the petitioner submitted detailed representations, but the respondents did not take action. Hence the petition.

3. Heard, Ms.M.Kamatchi Sundhari, learned counsel for the petitioner and M/s. S.Mekala, learned counsel for the 1st respondent and Mrs. R.Shahila Banu, learned Standing counsel for TNWSB for 2nd respondent and perused the materials placed on record.

4. Considering the facts and circumstances of the case and the submissions made on either side, without going into the merits of the case, the respondents 1 & 2 are directed to consider and dispose of the representation dated 17.09.2020, made by the petitioner in accordance with law and on merits, within a period of 12 weeks from the date of receipt of a copy of this order.

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

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Index : Yes
Internet : Yes/No

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R.N.MANJULA, J.

jrs

To

1. The Managing Director,
Tamil Nadu Water Supply and Drainage
Board 31, Kamarajar Salai
Chepauk, Chennai-600 005.
2. The Executive Engineer,
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