



W.P.No.19134 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.11.2023

CORAM

THE HONOURABLE Ms.JUSTICE R.N.MANJULA

W.P. No.19134 of 2020

G.Shanmugam

...

Petitioner

/vs/

M/s.State Express Transport Corporation,
Rep. by its Managing Director,
No.2, Pallavan Salai, Chennai – 600 002.

... Respondent

Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to regularize the petitioner's service from 01.01.1997 i.e. the date on which the petitioner completed 240 days or from the date of order of this Court in W.P.No.19488 of 1996 dated 14.11.1997.

For Petitioner ... Mr.D.Soundar Raj

For Respondents ... No appearance



W.P.No.19134 of 2020

ORDER

This writ petition has been filed for the issuance of the writ of mandamus directing the respondent to regularize the petitioner's service from 01.01.1997 i.e. the date on which the petitioner completed 240 days or from the date of order of this Court in W.P.No.19488 of 1996 dated 14.11.1997.

2. The petitioner was working as Casual Labourer by getting daily wages in the respondent Corporation. After completing continuous 240 days of work, he has filed a writ petition in W.P.No.19488 of 1996 for regularization of his services and an order has been passed in this regard on 14.11.1997. Subsequently the respondent has passed an order on 08.03.2007 for regularization. However by giving effect to regularization from 01.09.2006, the petitioner claims that his services from the date 01.01.1997 should also be counted for regularization but the same was not done.

3. The learned counsel for the petitioner submitted that even if it is not considered from 01.01.1997, the regularization ought to have been done with effect from the date of passing of the order in writ petition i.e.14.11.1997. It is submitted that the representation given by the petitioner in this regard has



W.P.No.19134 of 2020

not been considered by the respondent so far. In fact in the earlier order dated 05.10.2020 made in W.P.No.33423 of 2019 itself it has been observed that the petitioner ought to have been regularized either from the date of their original engagement i.e. from 17.12.1994 or at least from the date of order passed in W.P.No. 19488 of 1996 dated 14.11.1997.

4. Since the respondent has not considered the representation of the petitioner so far, the respondent is directed to consider the representation of the petitioner dated 07.02.2017 in accordance with the rules and pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition is disposed. No costs.

09.11.2023

Index: Yes / No
Speaking order / Non-speaking order
bkn



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W.P.No.19134 of 2020

R.N.MANJULA ,J.

bkn

To:

The Managing Director,
State Express Transport Corporation,
No.2, Pallavan Salai, Chennai – 600 002.

W.P.No.19134 of 2020

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