



W.P.No.10828 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.07.2023

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

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1.P.Lekeesh
2.P.Sanjayan
3.O.P.Mahesh
4.K.Vijayan
5.Sajeendran Meethal
6.K.Raveendran
7.V.K.Sukumaran
8.K.M.Surendran
9.Sirosh

... Petitioners

Vs.

1.The Union of India,
Rep. by the Chief Secretary to Government,
Government of Union Territory of Puducherry,
Puducherry.

2.The Secretary to Government,
Local Administration Department,
Government of Union Territory of Puducherry,
Puducherry.

3.The Director of Local Administration,
Government of Union Territory of Puducherry,
Puducherry.



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4.The Commissioner,
Mahe Municipality,
Mahe.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records on the file of the 4th respondent relating to the impugned orders bearing Ref:No.1-447/MM/Estt./2016 dated 07.03.2017 and quash the same and consequently direct the 4th respondent to continue to engage the petitioners' services on casual basis and regularize them as and when vacancy arises on regular basis as per the Scheme framed in G.O.Ms.No.2/LAS/2011 dated 27.05.2011.

For Petitioner : Mr.T.Saikrishnan

For Respondents : Mr.A.Tamilvanan
Additional Government Pleader (P)

ORDER

This Writ Petition has been filed seeking for a Writ of Certiorarified Mandamus, to call for the records on the file of the fourth respondent relating to the impugned orders bearing ref:No.1-447/MM/Estt./2016 dated 07.03.2017 and quash the same and consequently, direct the fourth respondent to continue to engage the petitioners' services on casual basis and regularize them as and when



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vacancy arises on regular basis as per the Scheme framed in G.O.Ms.No.2/LAS/2011 dated 27.05.2011.

2. The case of the petitioners is that, they were engaged by the fourth respondent Municipality on a daily basis for conservation work during the period from the year 1997 to 2004. Thereafter, a representation dated 03.01.2007 was made before the fourth respondent for regularization of service on the ground that they have rendered last grade service for more than a decade. Even then, they were not regularized, however, the fourth respondent by way of impugned order dated 07.03.2017 had rejected the petitioners representation. Challenging the same, the petitioners have filed the above writ petition before this Court.

3. Though very many grounds have been raised in this writ petition, however, at the time of arguments, the learned counsel for the petitioners restricted his prayer and sought permission of this Court to grant liberty to the petitioners to approach the concerned authority either



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under the Tami Nadu Industrial Establishments (Conferment of Permanent Status to Workmen) Act, 1981 or under the Industrial Disputes Act, 1947.

4. On the above contention, this Court, heard the learned Additional Government Pleader (Puducherry) appearing for the respondents and perused the materials available on record.

5. In view of the limited request sought for by the petitioners, this Court, without interfering with the impugned order dated 07.03.2017, grants liberty to the petitioners to workout the remedy in the manner known to law.

6. Accordingly, the writ petition stands dismissed with the aforesaid liberty. No costs.

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Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes / No
sp



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- 1.The Chief Secretary to Government,
Government of Union Territory of Puducherry,
Puducherry.
- 2.The Secretary to Government,
Local Administration Department,
Government of Union Territory of Puducherry,
Puducherry.
- 3.The Director of Local Administration,
Government of Union Territory of Puducherry,
Puducherry.
- 4.The Commissioner,
Mahe Municipality,
Mahe.



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M.DHANDAPANI, J.

sp

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