



WEB COPY



W.P.No.33099 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.11.2023

CORAM

THE HONOURABLE MRS. JUSTICE **R. HEMALATHA**

W.P.No.33099 of 2023

1.T.Chandiravadhini
2.E.Sumathi
3.K.Durga Devi
4.A.Revathi
5.Sangeetha
6.Kavitha
7.K.Chitra

... Petitioners

Vs.

1.The District Collector,
First Floor, District Collectorate,
Nagapattinam - 611 001.

2.The Commissioner of Vedharanyam Municipality,
Hospital Road,
Vedharanyam - 614 810.

3.The Commissionerate of Municipal Administration,
75, Urban Administrative Building,
Santhome High Road,
MRC Nagar, Raja Annamalaipuram,
Chennai - 600 028.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to consider the representation of the petitioners dated 29.08.2023 within a time period



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to be fixed by this Court and consequently, restrain the respondents from arbitrarily interfering with work assigned to the petitioners.

For Petitioners : Mr.B.Arvind Srevatsa

For Respondents : Ms.C.Meera Arumugam, AGP

ORDER

The petitioners are part of the labour force of Domestic Breeding Checkers since the year 2012 and they have also supported the Municipality of Vedaranyam during Covid -19 Pandemic situation. According to them, they put in continuously ten years of service as daily rated wagers and that on 01.07.2023, they were orally informed by the second respondent that they would be dismissed from service which is against the principles of natural justice. Though they sent a communication in this regard to the second respondent on 10.07.2023 & again on 04.08.2023 it did not evoke any response. Subsequently, they showed their protest by beginning an in-house agitation on 03.07.2023 for two days in a peaceful manner without disturbing the public and this also did not work out. Therefore, they finally sent a representation dated 29.08.2023 to the first respondent to consider their representation and allow them to continue to work in the Municipality as Domestic Breeding Checkers and a copy of the same was sent to the other respondents.



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Though three months have lapsed, the respondents did not take any steps to re-employ the present petitioners. Therefore, they have filed the present writ petition to direct the respondents to consider their representation dated 29.08.2023.

2. Mr.B.Arvind Srevatsa, learned counsel for the writ petitioner contended that the petitioners have been working since 2012 as daily rated wagers and they have been paid a sum of Rs.412/- per day. According to him, the second respondent is acting arbitrarily, which is clearly opposed to the public policy and the principles of natural justice and the representation given by the petitioners did not evoke any response.

3. Per contra, Ms.C.Meera Arumugam, learned Additional Government Pleader, who accepted the notice on behalf of the respondents contended that the petitioners cannot claim, as a matter of right, any employment and therefore, prayed for dismissal of the petition.



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4. Since the present writ petition is filed only to consider the representation of the writ petitioners with regard to their employment, without going into the merits of the case projected by the petitioners either in the affidavit or in the representation dated 29.08.2023, this Court directs the first respondent to consider the representation of the writ petitioners dated 29.08.2023 and pass appropriate orders in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

Accordingly, this Writ Petition is disposed of. No costs.

23.11.2023

Index: Yes/No
Internet: Yes/No
Speaking/Non-Speaking order
mtl



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R. HEMALATHA, J.
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