



WEB COPY



W.P.Nos.2016, 2019, 2020, 2021, 2022 & 2024 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :31.01.2024

CORAM

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

W.P.Nos.2016, 2019, 2020, 2021, 2022 & 2024 of 2024

and

W.M.P.Nos.2143, 2152, 2155, 2149, 2150 & 2051 of 2024

A.Ganeesh Haran	... Petitioner in W.P.No.2016 of 2024
A.Harish	...Petitioner in W.P.No.2019 of 2024
M.Ghaneswaran	...Petitioner in W.P.No.2020 of 2024
K.Thamizharasan	...Petitioner in W.P.No.2021 of 2024
S.Ramachandran	... Petitioner in W.P.No.2022 of 2024
J.K.Sridharan	... Petitioner in W.P.No.2024 of 2024

-Vs-

1.The Commissioner of Municipal Administration
3, MRC Nagar,
Raja Annamalai Puram,
Chennai – 600 028.

2. The Commissioner,
Salem City Municipal Corporation,
Corporation Office,
Salem – 636 001.

... Respondents



W.P.Nos.2016, 2019, 2020, 2021, 2022 & 2024 of 2024

Common Prayer:- Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the respondents to consider the representations dated 04.01.2024 and 17.01.2024 and reinstate the petitioner in his service together with continuity of service, monetary and other benefits.

For Petitioner : Mr.R.Shanmugasundaram (Sr. Counsel)
for Mr. S.Manuraj
For R1 : Mr.K.H.Ravikumar
Government Advocate
For R2 & R3 : Mrs.N.Devi (R2 & R3)

ORDER

All the Writ Petitions have been filed for directing the respondents to consider the representations dated 04.01.2024 and 17.01.2024 and reinstate the petitioner in his service together with continuity of service, monetary and other benefits.

2. Petitioners are working as Skilled Assistant Grade II in Salem City Municipal Corporation under the 2nd Respondent. They were appointed as Skilled Assistant Grade II by the 1st Respondent on 09.12.2022. As per the Tamil Nadu Municipal Corporations Engineering and Water Supply Subordinate Service Rules, 1996, the vacancies to the post of Skilled Assistant Grade II has to be filled either by direct



W.P.Nos.2016, 2019, 2020, 2021, 2022 & 2024 of 2024

WEB COPY

recruitment or by promotion following communal rotation. As per the notification, petitioners had applied for the post of Skilled Assistant Grade II. All the petitioners received letter for interview and after interview, they were appointed as Skilled Assistant Grade II for the office of the 2nd respondent. Through direct recruitment against the existing approved vacancy by following Corporation Council Resolution dated 09.12.2022. Accordingly they had joined on the same day and served as Skilled Assistant Grade II for the office of the 2nd respondent. While being so, on 29.12.2023, 2nd respondent called for the meeting and they were instructed to submit their resignations in connection with some irregularities. They were also assured that they will be appointed thereafter and those period will be treated as leave. Accordingly, they submitted resignation on 29.12.2023. On verification, they found that their name had been crossed out in the attendance register as if they resigned from their respective post. Thereafter, immediately petitioner submitted their representation on 04.01.2024 thereby retracting forcible resignation and asking for permission to work as Skilled Assistant Grade II. However, it was not considered and therefore another representation dated 17.01.2024 requesting to rejoin



W.P.Nos.2016, 2019, 2020, 2021, 2022 & 2024 of 2024

the service in light of retraction made to the resignation on 04.01.2024.

Now, the request made by the petitioners are pending with the 2nd respondent.

3. Heard the submissions made by the learned counsels appearing for the parties.

4. Considering the above facts and circumstances, this Court directs the 2nd respondent to consider the representation submitted by the petitioners dated 04.01.2024 and 07.01.2024 and pass appropriate orders in accordance with law within a period of twelve weeks from the date of receipt of copy of the order.

5. With the above observations and directions, these writ petitions are disposed of. Consequently, connected miscellaneous petitions are closed. No costs.

31.01.2024

Internet : Yes
Index : Yes/No
Sma



WEB COPY



W.P.Nos.2016, 2019, 2020, 2021, 2022 & 2024 of 2024

G.K.ILANTHIRAIYAN, J.

Sma

To

- 1.The Commissioner of Municipal Administration
3, MRC Nagar,
Raja Annamalai Puram,
Chennai – 600 028.
2. The Commissioner,
Salem City Municipal Corporation,
Corporation Office,
Salem – 636 001.

W.P.Nos.2016, 2019, 2020, 2021, 2022 &
2024 of 2024

31.01.2024