



W.P.No.16884 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.06.2024

CORAM

THE HON'BLE **MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

W.P.No.16884 of 2024

- 1.R.Velmourougan
- 2.L.Arokiamary
- 3.P.Cathrin
- 4.P.Selvi
- 5.P.Geetha
- 6.K.Sengennie
- 7.C.Vengatesan
- 8.T.Subaramanian
- 9.P.Veerappan
- 10.A.Irussappan
- 11.M.Sivalingam

... Petitioners

Vs.

- 1.Union of India,
Rep by Government of Pudhucherry,
Chief Secretariat,
Pudhucherry – 605 001.
- 2.The Director,
Local Administration Department,
Pudhucherry – 1.
- 3.The Commissioner,
Oulgaret Municipality,
Javahar Nagar, Pudhucherry – 605 005.

... Respondents



W.P.No.16884 of 2024

Prayer: Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Mandamus, directing the respondents to implement the scheme of temporary status vide O.M.No.51016/30-Estt(C) dated 10.09.1993 of the Government of India, Ministry of Personnel, Public Grievances and Pension, Department of Personnel & Training, New Delhi and communicated vide G.O.Ms.No.20, dated 05.04.1995 by DP&AR [personnel wing], Pudhucherry with effect from the respective date of eligibility of the petitioners and consequently direct the respondents to pay the arrears of difference in wages by the virtue of implementation of the temporary status from the respective dates of eligibility of the petitioners based on the petitioners representation dated 09.11.2020.

For Petitioners : Mr.D.Sreenivasan

For Respondents : Mr.V.Vasanth Kumar
Additional Government Pleader
(Pondy)

ORDER

The writ petition is filed for a mandamus, to direct the respondents to implement the scheme of temporary status as per the O.M.No.51016/30-Estt(C) dated 10.09.1993 and thereby treat the services of the petitioners from the year 1998 – 2002 from which date the petitioners' services were conferred as temporary status.

2. The service particulars of each of the petitioners are tabulated and



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mentioned in Paragraph No.2 of the writ petition is as follows:-

Sl.No	Name	Date of Engagement as Daily rated sanitary worker	Eligibility of temporary Status w.e.f	Temporary Status granted w.e.f	Date of regularization as Sanitary Worker
1	R.Velmourougan	04.06.1997	04.06.1998	18.10.2002	30.08.2011
2	L.Arokiamary	24.08.1997	24.08.1998	18.10.2002	30.08.2011
3	P.Cathin	04.06.1997	04.06.1998	18.10.2002	30.08.2011
4	P.Selvi	04.06.1997	04.06.1998	18.10.2002	30.08.2011
5	P.Geetha	24.08.1997	24.08.1998	18.10.2002	30.08.2011
6	K.Sengenni	04.06.1997	04.06.1998	18.10.2002	30.08.2011
7	C.Vengatesan	04.06.1997	04.06.1998	18.10.2002	30.08.2011
8	T.Subramanian	04.06.1997	04.06.1998	18.10.2002	30.08.2011
9	P.Veerappan	04.06.1997	04.06.1998	18.10.2002	30.08.2011
10	A.Irussappan	04.06.1997	04.06.1998	18.10.2002	30.08.2011
11	M.Sivalingam	04.06.1997	04.06.1998	18.10.2002	30.08.2011

3. Therefore, it can be seen that the petitioners were engaged on daily rated basis in the year 1997 and were conferred with temporary status in the year 2002 and thereafter regularized in the year 2011 and all are working in the respondents municipality.

4. The claim of the petitioners are that there is O.M of the year 1993



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and therefore instead of conferring temporary status with effect from 18.10.2002, they should have been conferred in the year 1998 itself. Even accepting the said arguments on face value, it can be seen that the temporary status was granted in the year 2002 and thereafter the regularization itself was made in the year 2011. At all material times, the petitioners did not raise the said issue. Now, in the year 2024, the same cannot be belatedly entertained.

5. The learned counsel for the petitioners would also relied upon an earlier order of this Court in W.P.Nos.18397, 25550 and 24115 of 2021 vide order dated 12.12.2023. A perusal of the said order, the relief which was granted is only to consider the representation and no positive relief has been granted to the others.

6. Therefore, in view of the huge efflux of time and when the petitioners have not objected to when the temporary status was granted only from the year 2002 and thereafter when they were regularized in the year 2011, now, belatedly in the year 2024, this Writ Petition cannot be entertained.

7. This Writ Petition stands dismissed. No costs.



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