



W.P.No.24881 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.07.2024

CORAM

THE HONOURABLE MR. JUSTICE MUMMINENI SUDHEER KUMAR

W.P.No.24881 of 2021

and W.M.P.No.26192 of 2021

- 1.R.Chinna Kannu
- 2.C.Kumar
- 3.S.Valarmathy
- 4.M.Sowndari
- 5.E.Perumal
- 6.M.Kuppan
- 7.V.Arumugam

...Petitioners

Vs.

- 1.The Principal Secretary to Government of Tamil Nadu,
Local Administration Department,
Fort St. George, Chennai- 600 009
- 2.The Commissioner,
Greater Chennai Corporation,
Ribbon Building,
Chennai -600 003
3. The Zonal Officer,



W.P.No.24881 of 2021

Zone -15,
No.120, Rajiv Gandhi Salai,
Greater Chennai Corporation,
Chennai- 600 119.

4.The Managing Director,
Tamil Nadu Chennai Water Supply,
Sewerage Board, Chindhadripet,
Chennai.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus to call for the records relating to the impugned orders dated 03.08.2020 & 10.12.2020 bearing Z.O.XIV.C.No.A1/0004540/2020 & Z.O.XV.C.No.A3/001751/2020 passed by the respondent Nos.2 & 3, respectively, quash the same and to direct the respondents to regularize the service of the petitioners and grant consequential benefits.

For Petitioners : Mr.S.Venkatesan
for Mr.Arunkumar

For Respondents : Mr.M.Murali
Government Advocate for R1
Mr.S.Gopinathan for R2 & R3
Mr.Krishna Ravindran for R4

ORDER



W.P.No.24881 of 2021

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This writ petition is being filed challenging the impugned proceedings dated 03.08.2010 and another proceedings dated 10.12.2020 issued by the respondents 2 and 3 rejecting the claim of the petitioners for regularization of their services. The petitioners herein claimed to have worked as sweepers in Palavakkam Panchayat since the year 1992 onwards and thereafter, the said panchayat merged into Greater Chennai Corporation by virtue of orders issued in G.O.M.No.256 Municipal Administration and Water Supply (Election Department dated 26.12.2009 and thereby the employers, who were working in the Municipalities and Panchayat were absorbed through G.O.Ms.No.67 Municipal Administration and Water Supply (MC 3) Department dated 18.07.2012 into Greater Chennai Corporation and services of certain other temporary employees were also regularized by issuing various Government Orders. But the service of the petitioners were not regularized inspite by submitting repeated representations and the orders passed by this Court from time to time. It is pursuant to the orders dated 06.12.2019 passed by this Court in W.P.No.16944 of 2015, the petitioners herein submitted their individual representations before the respondents 2 and 3 requesting for regularization of their services. But the said representation of the petitioners were rejected



W.P.No.24881 of 2021

by the respondents 2 & 3, by passing the impugned orders on the ground that there is no proper record to prove the continuous employment of the petitioners in the Palavakkam Panchayat.

2.Having been confronted with the present situation the learned counsel for the petitioners filed numerous material before this Court on 19.10.2023 and 02.01.2024 to prove that the petitioners herein have been continuously employed under the Pallavakkam Panchayat. Thereafter, the learned counsel appearing for the respondents 1 and 2 sought time to verify the said materials filed by the petitioners and accordingly, today the learned counsel for the respondents 1 and 2 submitted that the respondents 2 and 3 would reconsider the claim of the petitioners in the light of the materials placed before this Court by the petitioners. The learned counsel for the petitioners also expressed no objection for such course of action.

3.In the light of the above, impugned orders are set aside. The matter is remitted back to the respondents 2 and 3 for fresh consideration by duly taking into consideration the material placed before this Court.



W.P.No.24881 of 2021

WEB COPY

4. In order to avoid unnecessary delay, this Court is of the considered view that it will be appropriate to permit the petitioners to place the relevant material before the respondents 2 and 3 in order to consider the claim in a better manner. Therefore, the petitioners are directed to submit individual representations before the 3rd respondent along with the material in support of their claim within a period of four weeks from the date of receipt of a copy of this order and on submission of such representation by the petitioners, the 3rd respondent shall examine the same by duly affording an opportunity of personal hearing to the petitioners and then submit an appropriate proposals to the 2nd respondent herein within a further period of three months from the date of submission of representation by the petitioners. On such submission of proposal the 2nd respondent shall consider the same and pass appropriate orders as expeditiously as possible at any rate within a period of six weeks from the date of receipt of the proposal submitted by the 3rd respondent.

5. In the result, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.



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W.P.No.24881 of 2021

25.07.2024

vsn

Internet: Yes/No

Index: Yes/No

Speaking/Non-speaking order

To

1..The Principal Secretary to Government of Tamil Nadu,

6/8

<https://www.mhc.tn.gov.in/judis>



W.P.No.24881 of 2021

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Fort St. George, Chennai- 600 009

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MUMMINENI SUDHEER KUMAR, J.

vsn



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W.P.No.24881 of 2021

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