



WEB COPY



Writ Petition No.26823 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.09.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.26823 of 2024

and

W.M.P.No.29340 of 2024

S.Hari Krishnan

S/o.Sai Ram

... Petitioner

Vs.

1.The State of Tamil Nadu,
represented by its
Secretary to Government,
Public Works Department,
Secretariat, Chennai - 9.

2.Engineer-in-Chief (Buildings),
Public Works Department,
Chepauk, Chennai - 05.

3.Executive Engineer,
Public Works Department,
Buildings Construction Division-I,
Chepauk, Chennai - 05.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the second respondent to consider the representation of the petitioner dated 22.03.2024 within a stipulated time period fixed by this Court and further, direct the respondents to regularize the petitioner's 24 years and 4



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months of service with all monetary as well as service benefits in view of the Full Bench judgment rendered in *M.Sivappa v. State of Tamil Nadu and others* reported in **2024 (2) CTC 1**.

For Petitioner : Mr.M.Muruganantham
For Respondents : Mr.V.P.R.Elamparithi
Additional Government Pleader

ORDER

This writ petition has been filed seeking issuance of a writ of mandamus directing the second respondent to deal with the representation made by the petitioner on 22.03.2024 wherein the petitioner has sought for regularization of service in line with the judgment of the Full Bench in *M.Sivappa v. State of Tamil Nadu and others [2024 (2) CTC 1]*.

2. Heard Mr.M.Muruganantham, learned counsel for petitioner and Mr.V.P.R.Elamparithi, learned Additional Government Pleader appearing for respondents.

3. The case of the petitioner is that he entered the service as a Mazdoor in the year 2000 at the office of the Assistant Executive Officer,



PWD, Chennai, in a sanctioned vacancy. The petitioner had put in 24 years and four months of service. The grievance of the petitioner is that his services have not been regularized in spite of several representations made in this regard. It is under these circumstances, the present writ petition has been filed before this Court seeking for appropriate directions.

4. Taking into consideration the facts and circumstances of the case and the nature of relief sought for by the petitioner, there shall be a direction to respondents 1 and 2 to deal with the representation made by the petitioner on 22.03.2024 on its own merits and in accordance with law and after taking note of the judgment of the Full Bench in ***M.Sivappa v. State of Tamil Nadu and others [2024 (2) CTC 1]***, and pass final orders within a period of eight (8) weeks from the date of receipt of a copy of this order .

5. The petitioner is directed to make a fresh representation to respondents 1 and 2 along with all relevant documents and also a copy of this order.



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N.ANAND VENKATESH, J

gm

This writ petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

11.09.2024

Neutral Citation: Yes/No

Index: yes/no

Speaking Order/Non-Speaking Order

gm

To

- 1.The Secretary to Government,
Public Works Department,
Secretariat, Chennai - 9.
- 2.The Engineer-in-Chief (Buildings),
Public Works Department,
Chepauk, Chennai - 05.03.2024
- 3.The Executive Engineer,
Public Works Department,
Buildings Construction Division-I,
Chepauk, Chennai - 05.

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