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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 14.10.2024

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.29314 of 2024

1. P.Rosi

2. K.U.Srilakshmi

3. K.Anusuya

4. V.Suguna

5. N.Sivakumar

..Petitioners

Vs.

1. The Principal Secretary to Government,
Municipal Administration and water Supply Department,
Fort St. George,
Chennai 600 009.

2. The Director of Town Panchayats,
7th and 8th Floor, Urban Administrative Office Campus,
R.A.Puram, Chennai 600 028

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for



issuance of a Writ of Mandamus directing the respondents 1 and 2 to consider the representation dated 04.01.2023 to regularise the service of the petitioners.

For Petitioner : Mr.R.Sreedhar
for Mr.J.Rajmohan
For Respondents : Mr.C.Selvaraj
Additional Government Pleader
for R1 and R2

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the respondents 1 and 2 to consider the representation made by the petitioner on 04.01.2023 wherein the petitioners have sought for regularisation of their service in the post of Data Entry Operator.

2. Heard Mr.R.Sreedhar for Mr.J.Rajmohan, learned counsel for the petitioner and Mr.C.Selvaraj, learned Additional Government Pleader for respondents 1 and 2.

3. The Government of Tamil nadu took a decision in the year 2003 to computerize all its functions particularly in the town Panchayats/ Municipalities. Pursuant to the said decision, the 2nd respondent issued a letter



dated 12.03.2004 to all the Assistant Directors of Town Panchayats to instruct the Executive Officers to computerize the entire documents with the help of technically qualified persons. Based on this instruction, computer typist / Data Entry Operators were engaged in totally 528 Town Panchayats. The petitioners were appointed during the period from 2004 to 2008 as Data Entry Operators in the concerned Town panchayats/ Municipalities. The appointment was given on a daily wage basis / contractual employee.

4. The services of those persons who were engaged on a contractual basis continued for a long time and considering the same, the 2nd respondent through proceedings dated 19.01.2017 informed the 1st respondent that the post of Data Entry Operators can be created and all those persons who are working in the 528 Town Panchayats can be brought under time scale of pay. Even thereafter, the 2nd respondent called for additional information and communicated the same to the 1st respondent. The grievance of the petitioners is that till date the Government has not taken any steps to act upon the recommendation made by the 2nd respondent. The representation made by the petitioners in this regard also did not evoke any response. It is under these



circumstances, the present writ petition has been filed before this Court seeking for regularization of the services of the petitioners.

5. In the considered view of this Court, the issue has already been addressed by the 2nd respondent to the 1st respondent through communication dated 19.01.2017. Even thereafter, the 2nd respondent had sought for necessary particulars from the Assistant Director of Town Panchayats of various zones regarding the persons who were engaged in the said work. In view of the same, the 1st respondent has to necessarily take a decision since the Data Entry Operators who have been working for a long time cannot be left in limbo.

6. In the light of the above discussion, there shall be a direction to the respondents 1 and 2 to act upon the representation made by the petitioners on 04.01.2023. While acting upon the representation, the respondents 1 and 2 shall finalise the decision regarding the recommendation that was made by the 2nd respondent through communication dated 19.01.2019 for all the similarly placed persons. Only if a final decision is taken, the issue can be resolved in a consummate manner. This decision shall be taken within a period of twelve



weeks from the date of receipt of a copy of this order.

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

14.10.2024

Internet : Yes/No

Index : Yes/No

Speaking Order / Non Speaking Order
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N. ANAND VENKATESH, J.
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