



WEB COPY



W.P.No.33992 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.06.2024

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.33992 of 2023

S.Navabharathy

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Petitioner

Vs.

1. The State of Tamil Nadu
Rep. by the Secretary
Higher Education Department
Fort St. George, Chennai – 600 009.
2. The Commissioner
Directorate of Technical Education
Guindy, Chennai – 600 025.
3. The Chief Engineer (PWD)
Technical Education Circle
Guindy, Chennai – 600 025.
4. The Executive Engineer
Technical Education Division
Guindy, Chennai – 600 025.
5. The Assistant Executive Engineer (PWD)
Technical Education Electrical sub-Division
Guindy, Chennai – 600 025.

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Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for a writ of mandamus, directing the respondents to regularize the service of the petitioner's service as given to G.Vanaja and others as regular employee as per order of Hon'ble Tamil Nadu Administrative Tribunal, Chennai dated 30.04.2004 passed in O.A.No.2017 of 2004.



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For the Petitioner : Mr.S.T.Varadarajalu
For the Respondents : Mr.Kumaravel
Additional Government Pleader

ORDER

This writ petition is filed seeking directions against the respondents to regularize the service of the petitioner, as given to one *G.Vanaja* and others as per the order of the Tamil Nadu Administrative Tribunal, Chennai dated 30.04.2004 in O.A.No.2017 of 2004.

2. Today, when the matter came up for hearing, from the counter affidavit by the fourth respondent, it is seen that the petitioner's case was earlier considered by the respondents and a proposal was sent by the Commissioner of Technical Education to the Government for regularization of services of the petitioner and others. The same was rejected by the Government by the order dated 25.07.2013. The petitioner, thereafter, filed W.P.No.35033 of 2013 with prayer to quash the said Government Order and also to direct the respondents to regularize the service with service and monetary benefits.



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3. Therefore, in respect of the selfsame prayer, when the petitioner had earlier moved this Court by way of W.P.No.12794 of 2013, and upon passing a final order, a second writ petition in W.P.No.35033 of 2013 is filed and the same is pending. The very same relief sought in the present writ petition is not maintainable, since the earlier writ petition is pending. The petitioner is entitled to raise all the grounds raised in the present writ petition in the earlier writ petition, as and when the said writ petition comes up for hearing.

4. In view thereof, the present writ petition stands dismissed with liberty to the petitioner to raise all the grounds in W.P.No.35033 of 2013. There shall be no order as to costs. Consequently, W.M.P.Nos.33870 and 33871 of 2023 are closed.

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Index : Yes/No

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To:

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D.BHARATHA CHAKRAVARTHY,J.

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