



W.P.No.181 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.01.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.181 of 2024
and W.M.P.Nos. 195 & 196 of 2024

1. P.Mohanraj
2. A.Bhuvana
3. S.Lenin
4. G.Ragu
5. P.Venkatesan
6. N.Selvaraj
7. K.Immanuvel
8. D.Elumalai
9. D.Purushothaman
10. S.Vijayakumar
11. C.Chandran
12. S.Rajini
13. M.Kalaiselvan
14. S.Sekar
15. S.Prabhu
16. G.Suresh
17. S.Thirumal
18. E.Murugesan
19. V.Velu
20. G.Palani
21. T.Saravanan
22. K.Sugumar
23. P.Sivaramakrishnan
24. V.Balaji
25. S.Jayaprakash
26. Emmanuvel

..... Petitioners

Vs

1. The Principal Secretary to Government,



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Public Works Department,
Secretariat, Chennai – 9.

WEB COPY

2. The Engineer in Chief (General)/Chief Engineer,
Water Resources Department (W.R.D)
Public Works Department,
Chepauk, Chennai – 5.

3. The Chief Engineer,
Chennai Region,
Water Resource Department,
Chepauk, Chennai – 5.

4. The Executive Engineer,
Upper Palar Division,
Public Works Department,
Vellore – 632 006.

..... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus call for the records relevant to the order in Lr.No.S4(1)/40173/2021 dated 29.11.2021 passed by the 2nd respondent and quash the same as illegal, improper, unreasonable and natural justice and thereby direct the respondents consider the petitioner representation based on the G.O.(Ms) No.233 dated 06.12.2019.

For Petitioners : Mr.R.Suryaprakash

For Respondents : Mr.U.Baranidharan
Additional Government Pleader

ORDER

This Writ Petition has been filed challenging the order dated 29.11.2021 in Lr.No.S4(1)/40173/2021 passed by the second respondent,



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thereby rejected the representation made by the petitioners to regularise their services.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The petitioners were engaged by the respondents on daily wages. In order to prepare the name list of daily wage workers, the second respondent sought for a clarification from the officers concerned. Finally, a list consisting of 87 names of the daily wage workers from Vellore Division was prepared. It was forwarded to the second and third respondents for regularisation as per G.O.(Ms.) No.137, dated 13.09.2019. Thereafter, the Government passed G.O.(Ms.) No.233, dated 06.12.2019, thereby brought the daily wage workers under a minimum pay scale. However, the name of the petitioners were not included in the said Government Order. Therefore, the petitioners submitted a detailed representation and also filed writ petition before this Court in W.P.No.20384 of 2021. This Court, by an order dated 24.09.2021, directed the respondents to pass appropriate orders on merits and in accordance with law on the representation of the petitioners within a period of twelve weeks from the date of receipt of a copy of the order. The said



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representation was rejected by an order dated 29.11.2021. Though the rejection order was passed on 29.11.2021, the writ petition has been filed only in the year 2024.

4. A perusal of the records reveals that though the petitioners were not engaged by the respondents even for several years they worked on daily wages. That apart, they failed to complete 10 years of their service as per G.O (Ms) No.233 dated 06.12.2019 and as such, they have not been included in the list of workers. Hence, this Court finds no infirmity or illegality in the order passed by the second respondent and the writ petition is devoid of merits and it is liable to be dismissed.

5. Accordingly, this Writ Petition stands dismissed. Consequently, connected miscellaneous petitions are closed. No costs.

08.01.2024

Internet: Yes

Index : Yes/No

Speaking/Non Speaking order

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To

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G.K.ILANTHIRAIYAN. J.

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