



W.P.No.23343 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.06.2025

CORAM

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.P.No.23343 of 2025

1.R.Mathaiyan

2.G.Mani

3.K.Raja

4.A.Anandan

... Petitioners

Vs.

1.The State of Tamil Nadu,
Rep. by its Secretary,
Highways and Minor Ports Department,
Fort St. George, Chennai-600009.

2.The Director General,
Highways Department,
Integrated Chief Engineers Office,
HRS Campus, 76, Sardar Patel Road,
Guindy, Chennai-600025.

3.The Divisional Engineer,
Highways Department,
Kurangu Chavadi,
Salem-636004.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the Respondents to grant all the attendant service benefits, all terminal benefits and compensation for



W.P.No.23343 of 2025

causing inordinate delay of more than 17 years in appointing the petitioners by not complying with the Court's common order in W.P.No.33011, 33022 and 38514 of 2006 dated 13.03.2007 on time by considering the petitioner's representations dated 18.02.2025 within the period that may be stipulated by this Court.

For Petitioners : Mr.S.Nambi Arooran
For Respondents : Mr.G.Nanmaran
Special Government Pleader

ORDER

By consent of both the learned counsel for the parties, the Writ Petition is taken up for final disposal, at the admission stage itself.

2. The instant writ petition has been filed with a prayer for issuing a Mandamus, directing the respondents to grant all the attendant service benefits, all terminal benefits and compensation for causing inordinate delay of more than 17 years in appointing the petitioners by not complying with the Court's common order in W.P.Nos.33011, 33022 and 38514 of 2006 dated 13.03.2007 on time by considering the petitioners' representations dated 18.02.2025 within the period that may be stipulated by this Court.

3. Heard the learned counsel for both sides and perused the materials available on record.

4. The learned counsel for the petitioners would submit that the



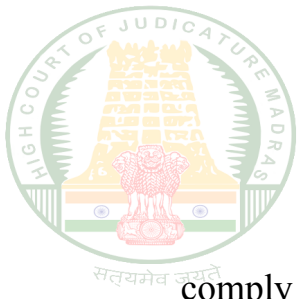
W.P.No.23343 of 2025

WEB COPY

petitioner was a Nominal Muster Roll (NMR) employee and seeking regularisation, they filed applications in O.A.Nos.9538 and 5477 of 1977 and O.A.No.292 of 1999 before the then Tamil Nadu Administrative Tribunal, Chennai and on abolition, the same were transferred and renumbered before this Court in W.P.Nos.33011, 33022 and 38514 of 2006 and tagged along with W.P.No.27705 of 2006 etc., batch, which were ultimately ordered on 13.03.2007 directing the respondents to appoint the petitioners.

5. However, the respondents did not comply with the direction of this Court. Hence, they preferred contempt petitions in Cont.P.Nos.551 to 563 of 2012 in which this Court passed an order on 11.04.2023. Subsequent, to the order passed in the contempt petitions, the respondents have appointed the petitioners vide G.O.(Ms).No.102, Highways and Minor Ports (HM-2) Department, dated 16.08.2024 and they were superannuated immediately on attaining the age of superannuation.

6. It is the further submission of the petitioners that in view of very limited employment they are not in a position to get pension. It is the submission of the petitioners that there is a duty cast upon the respondents to



W.P.No.23343 of 2025

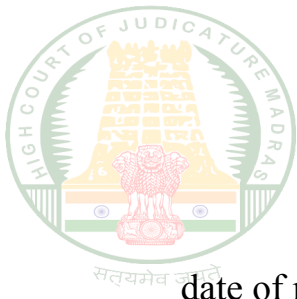
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comply with the direction of this Court, vide order dated 13.03.2007. Only upon the delay and default of the respondents, they were not in a position to join duty. Hence, the petitioners have sent separate representation dated 18.02.2025 requesting the respondents to regularise the petitioners' appointment with effect from the date of Writ Court order, vide order dated 13.03.2007 and such representation is pending with the respondent for a quite some time.

7. The learned Special Government Pleader appearing for the respondents 1 to 3 would submit that the contention of the petitioners is contrary to the settled legal position and he would contend that there is no ground to consider the petitioners' representation.

8. However, while looking at the facts of this case, the petitioners had sent separate representation on 18.02.2025 and the same is yet to be considered by the respondents.

9. In such view of the matter, without going into the merits of the writ petition, this Court deems it appropriate to direct the respondents to consider the petitioners' representation dated 18.02.2025 and pass orders on it's own merits and in accordance with law, within a period of twelve weeks from the



W.P.No.23343 of 2025

date of receipt of copy of this order.

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10. With the above direction, the Writ Petition is disposed of. No costs.

30.06.2025
(2/2)

Index : Yes/No
Speaking order /Non Speaking Order
Neutral Citation : Yes/No
dm

To

1.The Secretary,
State of Tamil Nadu,
Highways and Minor Ports Department,
Fort St. George, Chennai-600009.

2.The Director General,
Highways Department,
Integrated Chief Engineers Office,
HRS Campus, 76, Sardar Patel Road,
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W.P.No.23343 of 2025

C.KUMARAPPAN, J.

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W.P.No.23343 of 2025

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