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W.P.No.38625 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.11.2025

CORAM

THE HONOURABLE MR.JUSTICE G.K. ILANTHIRAIYAN

W.P.No.38625 of 2025

A.Mathan

: Petitioner

Vs.

1.Principal Secretary to Government,
Municipal Administration and Water Supplies
Department,
Fort St.George,
Chennai-600 009.

2.The Commissioner,
Erode City Municipal Corporation,
Erode.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue Writ of Mandamus, directing the first respondent herein to regularise the service of the petitioner on completion of 3 years of service from date of his original appointment in the light of the Division Bench Judgment in WA No.1615 of 2018 dated 23.11.2023 confirmed by the Hon'ble Supreme Court on 27.09.2024 in SLP(C) No.22954 of 2024 and in the light of the G.O.(2D) No.64, Municipal Administration and Water Supplies (MC 3) Department dated 08.08.2019 and the consequential G.O.(2D) No.68 Municipal Administration and Water Supplies (MC 3) Department dated 27.08.2019 with all consequential service and monetary benefits.



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For Petitioner : M/s.G.Bala and Daisy
For Respondents : Mr.C.Selvaraj
Additional Government Pleader
for R1 and R2

ORDER

This writ petition have been filed for a direction directing the first respondent herein to regularise the service of the petitioner on completion of 3 years of service from date of his original appointment in the light of the Division Bench Judgment in WA No.1615 of 2018 dated 23.11.2023 confirmed by the Hon'ble Supreme Court on 27.09.2024 in SLP(C) No.22954 of 2024 and in the light of the G.O.(2D) No.64, Municipal Administration and Water Supplies (MC 3) Department dated 08.08.2019 and the consequential G.O.(2D) No.68 Municipal Administration and Water Supplies (MC 3) Department dated 27.08.2019 with all consequential service and monetary benefits.

2. The petitioner was originally appointed as Sanitary Worker in the erstwhile Panchayat or Municipalities. On expansion of corporation limit as well as constitution of new corporation, the petitioner's service was transferred and



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merged with his respective corporation. He has been working continuously under the administration and control of the respondents, without any break. He is receiving salary as per the minimum wages fixed by the District Collector from time to time on daily wage basis. He is working on full time basis for the past 26 years. Therefore, he submitted representation for regularisation of his service.

3. However, it was not considered and as such, some of the Sanitary Workers approached this Court and the Hon'ble Division Bench of this Court by an order dated 01.09.2015 in W.P.No.17858 of 20214 held that the petitioners are entitled to consideration for grant of time scale on regular basis, on the basis of performance assignment to be done on completion of three years and they are entitled for regularization on completion of three years with all consequential monetary benefits. The Hon'ble Supreme Court of India also confirmed the said order, by an order dated 13.02.2017 in S.L.P.(C).No.3170 of 2017.

4. In compliance of the said order, the first respondent herein passed order in G.O.(2D).No.64 Municipal Administration and Water Supplies (MC 3) department dated 08.08.2019, thereby regularizing their service. By another order in G.O. (2D).No.68 Municipal Administration and Water Supplies (MC3) Department



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dated 27.08.2019, it was thereby ordered to regularize their service on completion of three years from the date of their original appointment.

5. That apart, in various writ petitions, this Court directed the respondents to regularise the service of the similarly placed persons within a stipulated time. By an order dated 23.11.2023, the Hon'ble Division Bench of this Court in W.A.No.1615 of 2018, directed the respondents to bring the petitioners therein, into regular time scale of pay, within a period of twelve weeks. The petitioner, also being the similarly placed person, is also entitled for the same benefits of the said Government Orders. Hence, the present writ petition.

6. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

7. It was brought to the notice of this Court that after dismissal of the SLP before the Hon'ble Supreme Court of India, the respondents filed Review petition and it is pending. However, no interim order has been granted by the Division Bench of this Court. In fact, some of the Sanitary workers, who had joined in their respective panchayat/municipality were absorbed in the Metro Water Supply and Sewerage Board. All the sanitary workers who were absorbed in the Metro Water



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Supply and Sewerage Board, were regularised. Insofar as the persons who were absorbed by the respective corporation were regularised and those who had approached this Court have been regularised in compliance of the order passed by this Court. Therefore, this Court finds that the petitioner is also entitled for the same benefits of regularisation of his respective service on completion of three years from the date of his original appointment.

8. In view of the above discussions, the respondents are directed to consider the case of the petitioner in the light of the government orders in G.O.(2D).No. 64 Municipal Administration and Water Supplies (MC 3) department dated 08.08.2019 and G.O.(2D).No.68 Municipal Administration and Water Supplies (MC3) Department dated 27.08.2019, within a period of twelve weeks from the date of receipt of a copy of this Order.

9. With the above directions, the Writ Petition is disposed of. There will be no order as to costs

05.11.2025

Speaking (or) Non Speaking Order
Neutral Citation: Yes/No
mrn

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To

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Municipal Administration and Water Supplies
Department,
Fort St.George,
Chennai-600 009.

2.The Commissioner,
Erode City Municipal Corporation,
Erode.



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G.K. ILANTHIRAIYAN, J.

(mrn)

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