

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

**MA/310/119 of 020
in &
O.A.No.310/00216/2020**

Dated the Monday, 17th day of February, 2020

PRESENT

Hon'ble Mr.P. Madhavan, Judicial Member

Hon'ble Mr.T. Jacob,Administrative Member

1. B. Bhagyamma,
159, B.H. Road, Pullaburam,
Kilpauk, Chennai-600 010;
2. G. Ravanamma,
No.197, III Street, Pullaburam,
Kilpauk, Chennai-600 010;
3. S. Pappathi,
No.29/31, Kulamapass Ali Khan 9th Street,
Thousand Lights, Chennai-600 017;
4. E. Selvi,
No.29/31, Dr. Thomas Road,
T. Nagar, Chennai-600 017;
5. N.Kuppamma,
No.264, 5th Street,
Pullaburam, Kilpauk,
Chennai-600 010;
6. P. Maryamma,
No.201/4, II Revenue Quarters,
Anna Nagar, 15th Main Road,
Chennai-600 040;
7. K. Maaribenita,
No.38/11, Swamy Thiru Neelakanda Nayanar Street,
Gondithoppu,
Chennai-600 079;
8. G. Savithri,
No.11/27, Pensioners 3rd Lane,
Old Washermenpet,
Chennai-600 021;

9. Sarah,
No.158, 8th Street, Pullapuram,
Kilpauk, Chennai-600 010;
10. A. Rajamani,
No.18/35, Canal Street, C.B. Road,
Korukkupettai, Chennai-600 021;
11. S. Mani,
No. 115, P Block, S.S. Puram,
M.K. Radha Nagar, Chennai-600 006;
12. D. Rani,
No.42, Old Kattathatti Street,
Triplicane, Chennai-600 005;
13. R. Pushpa,
No.5, Ponniaman Koil Street,
Madampakkam, Gundavancherry,
Chennai;
14. R. Sankar,
No.126, East Steet,
Sharma Nagar Opp. Bharathi Nagar,
Vyasarpadi, Chennai-600 039.

...Applicants

(By Advocate :M/s Akbar Row)

Vs.

1. The Union of India Rep. By
The Secretary to Government,
Ministry of Finance, Department of Revenue,
North Block, New Delhi-110 001;
2. The Chairman,
Central Board of Indirect Taxes and Customs,
North Block, New Delhi-110 001;
3. The Principal Chief Commissioner of GST & Central Excise,
26/1, Mahatma Gandhi Road,
Chennai-600 034.

...Respondents

(By Advocate:)

ORAL ORDER

(Order: Pronounced by Hon'ble Mr.P. Madhavan, Member(J))

MA 119/2020 has been filed by the applicants seeking permission to join together to file a single OA is allowed.

2. Applicants have filed this OA seeking the following reliefs:-

"to direct the First, Second & Third respondents to consider the applicants representations(A-1) for conferring Temporary Status and regularization by taking into account their long years of service as casual Labourer and also in view of the judgment in Rita Mary case W.P. Nos 16733/2009 & batch by the Hon'ble Madras High Court for framing a scheme for casual labourers, which stood upheld by the Hon'ble Supreme Court on 19.04.2018 and thus render justice."

3. The case of the applicants is that they have been engaged as Casual Labourers in the 3rd respondent's office under the jurisdiction of 2nd respondent establishment and are continuously working without any break for more than 20 to 29 years under the control of the 3rd respondent. They have been working for more than 8 hours daily for six days in a week without any break and had put in more than 206 days of continuous service in a year. Hence as per the DOPT Scheme dated 10.09.1993, the applicants are eligible for conferment of Temporary status by the respondents. It is submitted that the applicants had given individual representations to consider their names for grant of Temporary status in light of the orders in Rita Mary case & Batch i.e. W.P. No.16733/2009 & batch passed by the Madras High Court to frame a scheme for casual labourers and consider granting them temporary status and regularization. Since the respondents had not considered their representations, the applicants constrained to file this OA seeking the aforesaid

reliefs.

4. When the matter is taken up, learned counsel for the applicants submit that since the individual representations (Annexure-A1) submitted by the applicants are still pending with the respondents, applicants would be satisfied if the respondents are directed to dispose of the individual representations of the applicants within a time frame fixed by the Tribunal.

5. **In view of the limited relief sought, the respondents are directed to consider the representations of the applicants in the light of relevant scheme and circulars issued by the department and how far it applies to the facts of the case within a period of four months. They are also directed to consider whether any scheme was prepared by the Department on the basis of orders passed in the Rita Mary case in W.P.16733/2009 & batch cases and the ratio, if any, laid in that case and whether the decision can be made applicable to the applicants in this case.**

6. **OA is accordingly disposed of at admission stage. No costs.**

(T. JACOB)
MEMBER(A)

(P.MADHAVAN)
MEMBER(J)

17.02.2020

asvs