

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 3/9/2015

C O R A M

THE HON'BLE MR. JUSTICE SATISH K. AGNIHOTRI
and
THE HON'BLE MR. JUSTICE K.K.SASIDHARAN

W.A. No.1322 of 2015

The Commissioner
Coimbatore City Municipal Corporation
Coimbatore

...Appellant

Vs

1. The Secretary to Government of Tamil nadu
Municipal Administration and
Water Supply Department
Fort St. George
Chennai 600 009.
2. The Director of Town Panchayat
Kuralagam Buildings
Chennai 108.
3. The Executive Officer
Vellakinaru Town Panchayat
Coimbatore 641 029.
4. G. Ayyasamy
5. P. Selvakumar
6. C. Rajan
7. C. Aruchamy
8. K. Kannaiyan
9. C. Murugan

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10. S. Murugan

11. G. Maruthachalam

...Respondents

Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 25/6/2013 passed in W.P.No.7419 of 2013.

W.P.No. 7419 of 2013:

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st and 2nd respondents to regularize the services of the petitioners by bringing them on time scale of pay with effect from 10.2.2001 as provided under G.O.Ms. No.199 (MAWS Department) dt 12.8.1997 and in the light of the judgements passed by this Honourable Court in W.P. 25620/2006 dt 17.9.2008 and WA. 47/2010 dt 23.6.2010 with all consequential and attendant benefits.

For Appellants : Mr.R. Sivakumar

For Respondents 1 to 3 : Mr.N.Sakthivel, G.A.

For Respondents 4 to 11 : Mr.V.Vijayashankar

J U D G M E N T
(delivered by SATISH K. AGNIHOTRI, J.,)

This intra-Court appeal is filed by the appellant, impugning the order dated 25th June, 2013 passed in W.P. No.7419 of 2013, whereby and whereunder, the learned Single Judge directed the respondents therein to regularise the service of the writ petitioners on completion of three years from the date when they were appointed on consolidated pay into regular time scale of pay and to pay consequential monetary benefits.

2. The aforesaid issue involved in the instant appeal came up for consideration before this Bench in The Secretary to Government of Tamil Nadu, Municipal Administration & Water Supply Department and two others vs. M. Rani (W.A. No.1289/2014 etc. batch), which was partly allowed by us observing as under:

"29. Resultantly, for the reasoning and analysis made hereinabove, the appeals are partly allowed to the extent that the respondents are entitled to consideration for grant of time scale on regular basis on the basis of performance assessment to be done on completion of three years and in the event, the performance of the respondents, is found satisfactory, they are entitled to regularisation on completion of three years, with all consequential monetary benefits. Costs made easy. Connected Miscellaneous Petitions are closed."

3. In view of the foregoing, the instant appeal also stands partly allowed on the same terms. Costs made easy. Connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

mvs.

To

1. The Commissioner,
Coimbatore City Municipal Corporation,
Coimbatore.

2. The Secretary,
Municipal Administration and Water Supply Department,
Fort St. George,
Chennai - 600 009.

3. The Director of Town Panchayat,
Kuralagam Buildings,
Chennai - 600 108.

4. The Executive Officer,
Vellakinaru Town Panchayat
Coimbatore 641 029.

W.A. No.1322 of 2015

AK (CO)
PSI (24.09.2015)



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