

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26/8/2015

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.1291 of 2015

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
Arachalur Town Panchayat
Erode District.Appellants
- Vs
1. S. Thangavel
 2. K. Murugesan
 3. V. Paramasivam
 4. C. PalanisamyRespondents

Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 24/7/2013 passed in W.P.No.17435 of 2013. In the nature of writ, calling for the records relating to the proceedings of the 3rd respondent dated 9.8.2006 issued in his Pro.Na.Ka. No.163/2006 and quash the same in so far as the petitioners are concerned and consequently extend the benefit of the G.O.Ms.No.570 Municipal Administration and Water Supply Department dated 15.11.2010 to the petitioners by bringing them into regular time scale of pay from the date of completion of the three years of service in the consolidated pay services (15.10.2001 respectively) in the light of G.O.Ms.No.199 Municipal Administration and Water Supply Department dated 12.08.1997 and G.O.Ms.No.84 Municipal Administration and Water Supply Department dated 21.05.1998 and the orders of this Hon'ble High Court passed in W.P.No.25620/06 dated 17.09.2008 and the Judgment of Division Bench dated 23.06.2010 passed in W.A.No.47/2010 with all consequently service and monetary benefits;

For appellants : Mr.V.Jayaprakash Narayanan

For respondents: Mr.M. Ramadoss
for Mr.A.Baskaran

J U D G M E N T

(Judgment of the Court was made by SATISH K. AGNIHOTRI,J.,)

This intra-Court appeal is filed by the appellants, impugning the order dated 27th July, 2013 passed in W.P. No.17435 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(CO)

//True Copy//

Sub Assistant Registrar

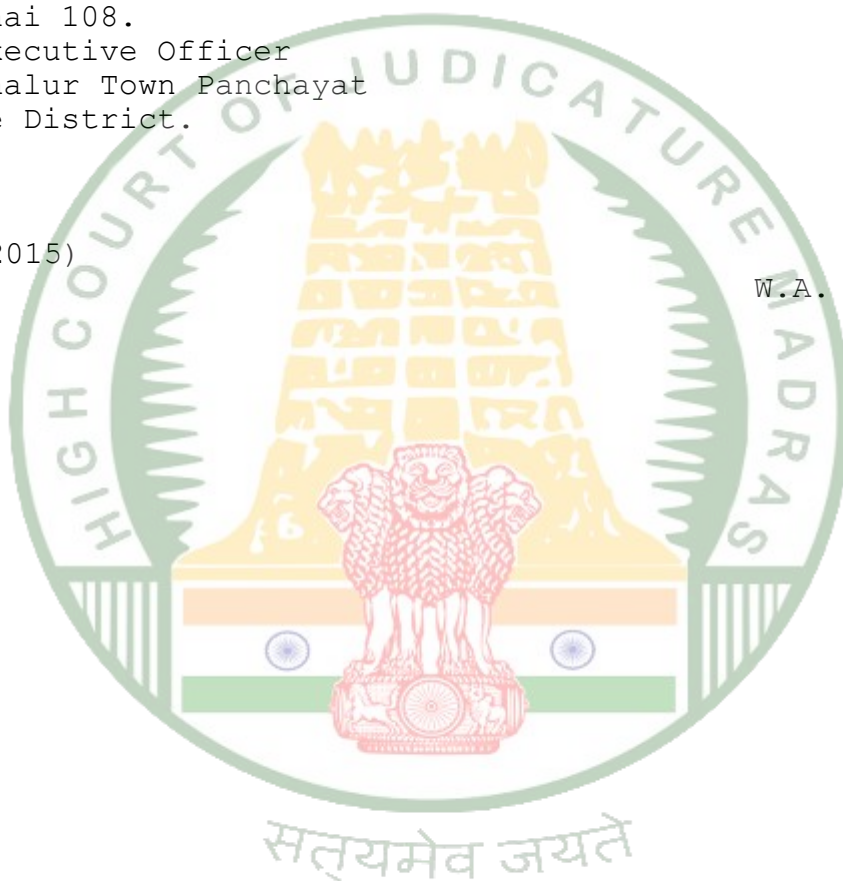
mvs.

TO

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EU(25/09/2015)

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