

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.08.2015

CORAM:

THE HON'BLE MR. JUSTICE SATISH K. AGNIHOTRI

and

THE HON'BLE MR. JUSTICE K.K. SASIDHARAN

W.A. Nos.1307, 1359, 1481 and 1706 of 2014 and 734, 1036, 1097, 1098,
1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109,
1110, 1111, 1112, 1113, 1150 and 1151 of 2015
and
connected Miscellaneous Petitions

THE COMMISSIONER
VELLORE CORPORATION
VELLORE

...APPELLANT IN W.A.NO. 1307,
1359, 1481 OF 2014

THE DIRECTOR OF TOWN PANCHAYAT
KURALAGAM BUILDINGS
CHENNAI 108

...2ND APPELLANT IN W.A.NO.1706 OF 2014,
734, 1036, 1097, 1098, 1099, 1100,
1101, 1102, 1103, 1104, 1105, 1106,
1107, 1108, 1109, 1110, 1111, 1112,
1113, 1150 AND 1151 OF 2015

THE EXECUTIVE OFFICER
MARUDHUR TOWN PANCHAYAT
MARUDHUR KARUR.

...3RD APPELLANT IN
W.A.NO.1706 OF 2014

THE EXECUTIVE OFFICER
PUTHUKKADAI TOWN PANCHAYAT
PUTHUKKADAI
KANYAKUMARI DISTRICT

...3RD APPELLANT IN
W.A.NO.734 OF 2015

THE EXECUTIVE OFFICER
KUMARAPURAM TOWN PANCHAYAT
KUMARAPURAM
KANYAKUMARI DISTRICT.

...3RD APPELLANT IN W.A.NO.1036 OF 2015

THE EXECUTIVE OFFICER
VERKKILAMBI TOWN PANCHAYAT
VERKKILAMBI
KANYAKUMARI DISTRICT

...3RD APPELLANT IN W.A.NO.1097 OF 2015

THE EXECUTIVE OFFICER
VALVACHAGOSTAM TOWN PANCHAYAT
VALVACHAGOSTAM
NAGERCOIL DISTRICT

...3RD APPELLANT IN W.A.NO.1098 OF 2015

THE EXECUTIVE OFFICER
HARUR SELCTION GRADE TOWN PANCHAYAT
HARUR
DHARMAPURI DIST.

...3RD APPELLANT IN W.A.NO.1099 & 1105 OF 2015

THE EXECUTIVE OFFICER
THIRUVATTAR TOWN PANCHAYAT
THIRUVATTAR
KANYAKUMARI DISTRICT.

...3RD APPELLANT IN W.A.NO.1100 OF 2015

THE EXECUTIVE OFFICER
APPAKUDAL TOWN PANCHAYAT
APPAKUDAL
ERODE DISTRICT.

...3RD APPELLANT IN W.A.NO.1101 & 1108 OF 2015

THE EXECUTIVE OFFICER
THAZHAKKUDI TOWN PANCHAYAT
THAZHAKKUDI
KANYAKUMARI DISTRICT.

...3RD APPELLANT IN W.A.NO.1102 OF 2015

THE EXECUTIVE OFFICER
ERANIYAL TOWN PANCHAYAT
ERANIYAL
KANYAKUMARI DISTRICT

...3RD APPELLANT IN W.A.NO.1103 OF 2015

THE EXECUTIVE OFFICER AND COMMISSIONER
PUNJAIPUGALUR TOWN PANCHAYAT
PUNJAIPUGALUR
COIMBATORE DISTRICT.

...3RD APPELLANT IN W.A.NO.1104 OF 2015

THE EXECUTIVE OFFICER
UDAYENTHIRAM FIRST GRADE TOWN PANCHAYAT
UDAYENTHIRAM
VELLORE DISTRICT

...3RD APPELLANT IN W.A.NO.1106 OF 2015

THE ASSISTANT DIRECTOR OF TOWN PANCHAYATS
REGIONAL OFFICE
SALEM.

THE EXECUTIVE OFFICER
THEVOOR TOWN PANCHAYAT
THEVOOR, SALEM.

...3RD APPELLANT IN W.A.NOS.1107,
1112, 1150 & 1151 OF 2015
4TH APPELLANT IN W.A.NOS.1107,
1113, 1150 & 1151 OF 2015

THE EXECUTIVE OFFICER
VILAVOOR TOWN PANCHAYAT
VILAVOOR
KANYAKUMARI DISTRICT.

...3RD APPELLANT IN W.A.NO.1109 OF 2015

THE EXECUTIVE OFFICER
VILLUKURI FIRST GRADE TOWN PANCHAYAT
VILLUKURI POST
KANYAKUMARI DISTRICT.

...3RD APPELLANT IN W.A.NO.1110 OF 2015

THE EXECUTIVE OFFICER
AMMOOR TOWN PANCHAYAT
AMMOOR
VELLORE DISTRICT.

...3RD APPELLANT IN W.A.NO.1111 OF 2015

THE EXECUTIVE OFFICER
ELAMPILLAI TOWN PANCHAYAT
SALEM.

...3RD APPELLANT IN W.A.NO.1112 OF 2015

Vs.

P.GOPALAKRISHNAN
M.KONDAIYA
P.RAMAIYA
G.ANBALAGAN
K.PRABHU

... RESPONDENTS 1 TO 5 IN WA.1307/14

THE SECRETARY TO GOVERNMENT,
MUNICIPAL ADMINISTRATION & WATER
SUPPLY DEPARTMENT,
FORT ST.GEORGE, CHENNAI

... R6 IN WA.1307/14

... R2 IN WA.1359/14,1481/14

... 1ST APPELLANT IN WA.1706/14,
734/15,1036/15,1097,1098,1099,
1100,1101,1102,1103,1104,1105,
1106,1107,1108,1109,1110,1111,
1112,1113,1150 & 1151/15

THE COMMISSIONER OF MUNICIPAL
ADMINISTRATION, CHEPAUK,
CHENNAI.

... R7 IN WA.1307/14

... R3 IN WA.1359/14,1481/14

THE COMMISSIONER,
GUDIYATHAM MUNICIPALITY,
VELLORE

... R8 IN WA.1307/14

D.AYYAPPAN

... R1 IN WA.1359/14

R.KOTEESWARAN

... R1 IN WA.1481/14

R.ARUMUGAM
M.ANNADURAI
K.THULASI DOSS
P.MUTHUKUMAR
T.MUTHU
S.DEEBALAKSHMI
N.RAJENDRAN
N.KARUPPANNAN
P.NALLUSAMY

.... RESPONDENTS 1 TO 9
IN WA.1706/14

A.SUNDAR RAJ
C.APPU
T.THANKASAMY
I.SOBITHA BANU
G.GEORGE STEPHEN

... R1 TO R5 IN WA.734/15

P.DHASAN

... RESPONDENT IN WA.1036/14

C.M.EDWIN JAYAKUMAR

... RESPONDENT IN WA.1097/15

S.JAYAKUMAR
A.CHARLES
J.RETHINABAI
R.CHELLADURAI
G.RAJAN

... RESPONDENTS 1 TO 5 IN WA.1098/15

G.MADHU
A.SUMATHI
M.PASUPATHY
S.THEERTHAGIRI

... RESPONDENTS 1 TO 4 IN WA.1099/15

J.STALIN
V.PUSHPARAJ
CHRISTOPHER JEBASINGH
J.P.JEBIN
P.RABINSON
S.RAJESH
J.ROBINSON
M.NELSY
R.ROSE

... R1 TO R9 IN WA.1100/15

A. PALANISAMY
M. SAKTHIVEL
R. ARUMUGAM
K. NALLASAMY
S. CHINNA KARUPPAN

R1 TO R5
IN W.A.1101/15

E. KUMARAVEL PILLAI
G. MURUGAPPAN

R1 & R2 IN W.A.1102/15

A. ALPHONES

RESPONDENT IN W.A.1103/15

M. SEKAR
M. RAJATHI
C. RAMAYEE
P. SHANMUGAM
R. BALASUBRAMANI
P. SIVAKUMAR
V. ANNADURAI
K. RAMAN
P. CHOLIYAPPAN
R. SUBRAMANIAN
MUTHUSAMY
V. THANGAVEL

R1 TO R 12 IN W.A.1104/15

N. BALU
B. NAGARAJAN
G. PALANI
K. PALANI

R1 TO R4 IN W.A.1105/15

S. MURUGAN
A. RAJA
S. SARAVANAN
M. RAVI
AMUDHA

R1 TO R5 IN W.A.1106/15

A. KUPPAN

RESPONDENT IN WA.1107/15

K. CHINNUSAMY @ CHINNASAMY
N. VEDANAYAGAM
K. MUNUSAMY

R1 TO R3 IN WA.1108/15

M. CHELLATHANGAM
C. THAMIZHMANI
M. RAJAN

R1 TO R3 IN WA.1109/15

V. SWAMIDOSS
C. KRISH KUMAR
V. SARAVANAN
V. BALAKRISHNAN
N. RAJESH

R1 TO R5 IN W.A.1110/15

S. SUNDARAMOORTHY
D. SHANMUGAM
A.E. KUPPAN

R1 TO R3 IN W.A.1111/15

P. VIMALA	RESPONDENT IN WA.1112/15
R. RAJAN	RESPONDENT IN WA.1113/15
K. RAMAN	RESPONDENT IN WA.1150/15
K. AMMASI	RESPONDENT IN WA.1151/15

Writ appeals filed under Clause 15 of Letter Patent Act against the Order of this Court dated 25/06/2013, 24/7/13, 24/7/13, 25/6/13, 20/2/14, 25/6/13, 25/6/13, 24/7/13, 25/6/13, 2/8/13, 24/7/13, 2/8/13, 25/6/13, 24/7/13, 25/10/13, 25/6/13, 24/7/13, 24/7/13, 2/8/13, 25/6/13, 25/6/13, 24/7/13, 25/6/13, 24/7/13 and 24/7/13 respectively.

and made in WP.NOs.7514/13, 19619/13, 19432/13, 6830/13, 29903/13, 6929/13, 9354/13, 18489/13, 15378/13, 9409/13, 18968/13, 8683/13, 10008/13, 18957/13, 27494/13, 34953/12, 17683/13, 19288/13, 9406/13, 9404/13, 34085/12, 17686/13, 6297/13, 17687/13 and 17690/13 respectively

Writ Petitions presented Under act 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus.

WP No.7514 of 2013:

Calling for the records relating to the proceedings of the 3rd respondent (Executive Officer of then Tharapadaveedu 3rd Grade Municipality) dated 03.03.2006 issued in Na.Ka.No. 49/2006/Tha.Ya. and quash the same restricting the date of bringing the Petitioners into time scale with effect from 23.06.2006 onwards alone and to issue consequential direction to the respondents 1 to 4 to bring the Petitioners into the regular time scale from the date on which they completed three years consolidated pay services in the light of the Judgment of Division Bench dated 23.06.2010 passed in W.A.No.385 of 2010 & 47 of 2010 with all consequential service and monetary benefits

WP No.19619 of 2013:

Calling for the records relating to the proceedings of the 3rd respondent (Executive Officer of then Tharapadaveedu 3rd Grade

Municipality) dated 03.03.2006 issued in Na.Ka.No. 50/2006/Tha.Ya. and quash the same restricting the date of bringing the Petitioner into regular time scale with effect from 23.02.2006 onwards alone and to issue consequential direction to the respondents to bring the Petitioner into the regular time scale from the date on which he completed three years consolidated pay services in the light of the Judgment of Division Bench dated 23.06.2010 passed in W.A.No.385 of 2010 & 47 of 2010 with all consequential service and monetary benefits

WP No.19432 of 2013:

Calling for the records relating to the proceedings of the 3rd respondent (then Executive Officer of Thimiri Selection Grade Town Panchayat) dated 03.04.2007 issued in Moo.Moo.61/2007 and quash the same restricting the date of bringing the Petitioner into regular time scale with effect from 23.02.2006 onwards alone and to issue consequential direction to the respondents to bring the Petitioner into the regular time scale from the date on which he completed three years consolidated pay services in the light of the Judgment of Division Bench dated 23.06.2010 passed in W.A.No.385 of 2010 & 47 of 2010 with all consequential service and monetary benefits

WP No.6830 of 2013:

Calling for the records relating to the proceedings of the 2nd respondent dated 25.7.2006 issued in Na.Ka.No.3051/ 2006/A3 and the proceedings of the 3rd respondent dated 28.7.2006 issued in Na.Ka.No.79/ 2006 and quash the same restricting the date of bringing the Petitioners into time scale with effect from 23.06.2006 onwards alone and to issue consequential direction to the respondents to bring the Petitioner into the regular time scale from the date on which they completed three years consolidated pay services in the light of Judgment of Division Bench dated 23.06.2010 passed in W.A.No.385 of 2010 & 47 of 2010 with all consequential service and monetary benefits.

WP No.29903 of 2013:

Calling for the records relating to the proceedings of the 2nd respondent dated 27.07.2006 issued in Na.Ka. No.3051/ 2006/A3 and the proceedings of the 3rd respondent dated 3.8.2006 issued in Na.Ka.No.100/2006 and quash the same restricting the date of bringing the Petitioners into time scale with effect from 23.06.2006 onwards alone and to issue consequential direction to the respondents to bring the Petitioner into the regular time scale from the date on which he completed three years consolidated pay services in the light of the Judgment of Division Bench dated 23.06.2010 passed in

W.A.No.385 of 2010 & 47 of 2010 with all consequential service and monetary benefits

WP No.6929 of 2013:

Calling for the records relating to the proceedings of the 2nd respondent dated 27.07.2006 issued in Na.Ka.No. 3051/2006/A3 and the proceedings of the 3rd respondent dated 03.08.2006 issued in Na.Ka.No. A1/196/06 and quash the same restricting the date of bringing the Petitioner into time scale with effect from 23.06.2006 onwards alone and to issue consequential direction to the respondents to bring the Petitioner into the regular time scale from the date on which he completed three years consolidated pay services in the light of the Judgment of Division Bench dated 23.06.2010 passed in W.A.No.385 of 2010 & 47 of 2010 with all consequential service and monetary benefits

WP No.9354 of 2013:

calling for the records relating to the proceedings of the 2nd respondent dt 27.7.2006 issued in Na. Ka. No. 3051/2006/A3 and the proceedings of the 3rd respondent dt 3.8.2006 issued in No.210/2006, and quash the same in so far as the petitioner alone is concerned and restricting the date of bringing the petitioner into time scale with effect from 23.6.2006 onwards alone and to issue consequential direction to the respondents to bring the petitioner into the regular time scale from the date on which he completed three years consolidated pay services in the light of the Judgment of Division Bench dt 23.6.2010 passed in W.A. No. 385 of 2010 and 47 of 2010 with all consequential service and monetary benefits

WP No.18489 of 2013:

calling for the records relating to the proceedings of the 2nd respondent dt 27.7.2006 issued in Na. Ka. No. 3051/2006/A3 and the proceedings of the 3rd respondent dt 2.8.2006 issued in Na. Ka. No. 288/06 A1, and quash the same restricting the date of bringing the petitioners into time scale with effect from 23.6.2006 onwards alone and to issue consequential direction to the respondents to bring the petitioners into the regular time scale from the date on which they completed three years consolidated pay services in the light of the Judgment of Division Bench dt 23.6.2010 passed in W.A. No. 385 of 2010 and 47 of 2010 with all consequential service and monetary benefits

WP No.15378 of 2013:

calling for the records relating to the proceedings of the 2nd respondent dt 25.7.2006 issued in Na. Ka. No. 3051/2006/A3 and the proceedings of the 3rd respondent dt 2.8.2006 issued in Na.Ka. No. 562/2006 (A2), and quash the same restricting the date of bringing the petitioners into time scale with effect from 23.6.2006 onwards alone and to issue consequential direction to the respondents to bring the petitioners into the regular time scale from the date on which they completed three years consolidated pay services in the light of the Judgment of Division Bench dt 23.6.2010 passed in W.A. No.385 of 2010 and 47 of 2010 with all consequential service and monetary benefits

WP No.9409 of 2013:

calling for the records relating to the proceedings of the 2nd respondent dt 27.7.2006 issued in Na. Ka. No. 3051/2006/A3 and the proceedings of the 3rd respondent dt 3.8.2006 issued in Na. Ka. No.75/2006 and quash the same restricting the date of bringing the petitioners into time scale with effect from 23.6.2006 onwards alone and to issue consequential direction to the respondents to bring the petitioners into the regular time scale from the date on which they completed three years consolidated pay services in the light of the Judgment of Division Bench dt 23.6.2010 passed in W.A. No. 385 of 2010 and 47 of 2010 with all consequential service and monetary benefits

WP No.18968 of 2013:

Calling for the records relating to the proceedings of the 2nd respondent dated 27.07.2006 issued in Na.Ka.No. 3051/2006/A3 and the proceedings of the 3rd respondent dated 07.08.2006 issued in Na.Ka.No.352/2006/A1 and quash the same restricting the date of bringing the Petitioners into time scale with effect from 23.06.2006 onwards alone and to issue consequential direction to the respondents to bring the Petitioners into the regular time scale from the date on which they completed three years consolidated pay services in the light of the Judgment of Division Bench dated 23.06.2010 passed in W.A.No.385 of 2010 & 47 of 2010 with all consequential service and monetary benefits

WP No.8683 of 2013:

calling for the records relating to the proceedings of the 2nd respondent dated 27.7.2006 issued in Na. Ka. No.3051/ 2006/A3 and the proceedings of the 3rd respondent dated 3.8.2006 issued in Mu.Mu.41/06/A1, and quash the same restricting the date of bringing

the petitioners into time scale with effect from 23.6.2006 onwards alone and to issue consequential direction to the respondents to bring the petitioners into the regular time scale from the date on which they completed three years consolidated pay services in the light of the Judgment of Division Bench dated 23.6.2010 passed in W.A.No.385/2010 & 47/2010 with all consequential service and monetary benefits

WP No.10008 of 2013:

Calling for the records relating to the proceedings of the 2nd respondent dated 27.7.2006 issued in Na.Ka.No.3051/ 2006/A3 and the proceedings of the 3rd respondent dated 3.8.2006 issued in Na.Ka.No.73/ 2006 and quash the same in so far as the petitioner alone is concerned and restricting the date of bringing the Petitioner into time scale with effect from 23.06.2006 onwards alone and to issue consequential direction to the respondents to bring the Petitioner into the regular time scale from the date on which he completed three years consolidated pay services in the light of Judgment of Division Bench dated 23.06.2010 passed in W.A.No.385 of 2010 & 47 of 2010 with all consequential service and monetary benefits

WP No.18957 of 2013:

Calling for the records relating to the proceedings of the 2nd respondent dated 25.07.2006 issued in Na.Ka.No. 3051/2006/A3 and the proceedings of the 3rd respondent dated 28.07.2006 issued in Na.Ka.No.184/2006 and quash the same restricting the date of bringing the Petitioners into time scale with effect from 23.06.2006 onwards alone and to issue consequential direction to the respondents to bring the Petitioners into the regular time scale from the date on which they completed three years consolidated pay services in the light of the Judgment of Division Bench dated 23.06.2010 passed in W.A.No.385 of 2010 & 47 of 2010 with all consequential service and monetary benefits

WP.No.27494 of 2013:

Calling for the records relating to the proceedings of the 2nd respondent dated 25.07.2006 issued in Na.Ka.No.3051/2006/A and the proceedings of the 3rd respondent dated 2.8.2006 issued in Na.Ka.No. 562/2006 (A2) and quash the same restricting the date of bringing the Petitioners into time scale with effect from 23.06.2006 onwards alone and to issue consequential direction to the respondents to bring the Petitioners into the regular time scale from the date on which they completed three years consolidated pay services in the light of the Judgment of Division Bench dated 23.06.2010 passed in W.A.No.385 of 2010 & 47 of 2010 with all consequential service and monetary benefits.

WP No.34953 of 2012:

calling for the records relating to the proceedings of the 2nd respondent dated 26.7.2006 issued in Na.Ka.No.3051/2006/A3 and the proceedings of the 3rd respondent dated 28.7.2006 issued in Na.Ka.No.150/2006 and quash the same restricting the date of bringing the petitioners into time scale with effect from 23.6.2006 onwards alone and to issue consequential direction to the respondents to bring the petitioners into the regular time scale from the date on which they completed three years consolidated pay services in the light of G.O.Ms.No.199 Municipal Administration and Water Supply Department dated 12.8.1997 and the G.O.Ms.No.84 Municipal Administration and Water Supply Department dated 21.5.1998.,

WP No.17683 of 2013:

Directing the 4th respondent herein to grant the petitioner herein time scale of pay with effect from 2.11.2001 and pay the arrears of wages and all other attendant benefits

WP No.19288 of 2013:

Calling for the records relating to the proceedings of the 2nd respondent dated 27.7.2006 issued in Na.Ka.No.3051/ 2006/A3 and the proceedings of the 3rd respondent dated 7.8.2006 issued in Na.Ka.No.352/ 2006/A1(2) and quash the same restricting the date of bringing the Petitioners into time scale with effect from 23.06.2006 onwards alone and to issue consequential direction to the respondents to bring the Petitioners into the regular time scale from the date on which they completed three years consolidated pay services in the light of Judgment of Division Bench dated 23.06.2010 passed in W.A.No.385 of 2010 & 47 of 2010 with all consequential service and monetary benefits

WP No.9406 of 2013:

calling for the records relating to the proceedings of the 2nd respondent dt 27.7.2006 issued in Na. Ka. No. 3051/2006/A3 and the proceedings of the 3rd respondent dt 7.8.2006 issued in Na. Ka. No. 207/2006 and quash the same restricting the date of bringing the petitioners into time scale with effect from 23.6.2006 onwards alone and to issue consequential direction to the respondents to bring the petitioners into the regular time scale from the date on which they completed three years consolidated pay services in the light of the Judgment of Division Bench dt 23.6.2010 passed in W.A. No. 385 of 2010 and 47 of 2010 with all consequential service and monetary benefits

WP No.9404 of 2013:

calling for the records relating to the proceedings of the 2nd respondent dt 27.7.2006 issued in Na. Ka. No. 3051/2006/A3 and the proceedings of the 3rd respondent dt 10.8.2006 issued in Na. Ka. No.309/2006, and quash the same restricting the date of bringing the petitioners into time scale with effect from 23.6.2006 onwards alone and to issue consequential direction to the respondents to bring the petitioners into the regular time scale from the date on which they completed three years consolidated pay services in the light of the Judgment of Division Bench dt 23.6.2010 passed in W.A. No. 385 of 2010 and 47 of 2010 with all consequential service and monetary benefits

WP No.34085 of 2012:

Calling for the records relating to the proceedings of the 2nd respondent dated 26.7.2006 issued in Na.Ka.No.3051/ 2006/A3 and the proceedings of the 3rd respondent dated 31.07.2006 issued in Na.Ka.No.236/ 2006 and quash the same restricting the date of bringing the Petitioners into time scale with effect from 23.06.2006 onwards alone and to issue consequential direction to the respondents to bring the Petitioners into the regular time scale from the date on which they completed three years consolidated pay services in the light of G.O.Ms.No.199 Municipal Administration and Water Supply Department dated 12.08.1997 and the G.O.Ms.No.84 Municipal Administration and Water Supply Department dated 21.05.1998 and...

WP No.17686 of 2013:

Directing the 4th respondent herein to grant the petitioner herein time scale of pay with effect from 16.5.2001 and pay the arrears of wages and all other attendant benefits.

WP No.6297 of 2013:

Calling for the records relating to the proceedings of the 3rd respondent dated 10.8.2006 issued in Na.Ka.No.231/2006 and quash the same restricting the date of bringing the Petitioner into time scale with effect from 23.06.2006 onwards alone and to issue consequential direction to the respondents to bring the Petitioner into the regular time scale from the date on which they completed three years consolidated pay services in the light of G.O.Ms.No.198 and 199 Municipal Administration and Water Supply Department dated 26.10.1998 and 12.08.1997 and the G.O.Ms.No.84 Municipal Administration and Water Supply Department dated 21.05.1998 and the Judgment of Division Bench dated 23.06.2010 passed in...

WP No.17687 of 2013:

Directing the 4th respondent herein to grant the petitioner herein time scale of pay with effect from 16.5.2001 and pay the arrears of wages and all other attendant benefits

WP No.17690 of 2013:

Directing the 4th respondent herein to grant the petitioner herein time scale of pay with effect from 2.11.2001 and pay the arrears of wages and all other attendant benefits.

For appellants in
WA Nos.1307, 1359 and
1481 of 2014

Mrs. P. Shanthi

For appellants in
WA Nos.1706 of 2014,
734, 1036, 1097 to 1113,
1150 and 1151 of 2015

Mr. V. Jayaprakash Narayanan
Spl. Govt. Pleader

For
RR 1-5 in WA No.1307/2014
and
R1 in WA No.1359 of 2014
RR 1,2 & 4 in WA No.1098/2015
R1 in WA No.1102/2015
RR 1,3 & 4 in WA No.1105/2015
RR 2 & 5 in WA No.1106/2015
RR 2 & 3 in WA Nos.1108 and
1481/2014

Mr. P.I. Thirumoorthy

For respondents in
WA Nos.734, 1097, 1099-
1101, 1103, 1104, 1109-
1112, 1150 and 1151/2015

Mr. P.I. Thirumoorthy

For respondent in
WA Nos.1107 and 1113/2015

Mr. V. Elangovan

For RR 6-8 in WA No.1307/2014
For RR 2 & 3 in WA No.1359/2014

Mr.P.S. Sivashanmugasundaram
Spl. Govt. Pleader

For respondent in WA No.1036/2015

Mr. G. Vinodhkumar

COMMON JUDGMENT

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

Regard being had to the commonality of the question of law

involved in this batch of intra-Court appeals, all these intra-Court appeals are being considered and decided by this common judgment.

2 The question of law involved in this batch of cases is as to whether the private respondents/employees employed in the post of Sweeper, Electrician, Fitter, etc. are entitled to regularisation of their service on completion of three years from the date of initial appointment/entry in service.

3 This question of law is no longer res integra. The said issue had come up for consideration in a batch of intra-Court appeals in the Secretary to Government of Tamil Nadu, Municipal Administration and Water Supply Department, Chennai - 9 and 2 others vs. M. Rani (W.A. Nos.1289 of 2014, etc. batch). This Court, having considered all aspects of the matter, vide common judgment dated 30th June 2015, held as under:

"27 As we have observed in the preceding paragraphs, the respondents were informed at the time of their appointment that their appointment was on consolidated pay, subject to pay enhancement by 10% every year initially for a period of one year at a time, subject to renewal on assessment/review after a period of three years. It was also indicated to the respondents that their cases may be considered for regularisation on assessment of their performance. Thus, it is not a case of appointment on consolidated pay or daily wages simpliciter. Albeit appointment was of temporary nature, however, that was subject to regular assessment and probable regularisation on completion of three years. Thus, the respondents are not entitled to regularisation on completion of three years automatically, without consideration of their performance. On assessment/review, if it is found that their performance is satisfactory, they are entitled to be granted time scale on regular basis.

28. x x x x x x x x x x x x x x
सत्यमेव जयते

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."

4 Accordingly, these instant intra-Court appeals also are partly allowed, in terms of the aforesaid judgment dated 30th June

2015 passed in W.A.No.1289 of 2014 etc. batch. Costs made easy.
Connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

cad

To

1.The Secretary to Government of Tamil Nadu
Municipal Administration and
Water Supply Department
Fort St. George
Chennai 600 009

2.The Commissioner of Municipal Administration
Chepauk, Chennai

3.The Commissioner
Gudiyatham Municipality
Vellore District.

4.The commissioner, Vellore Corporation,
Vellore.

5.The Director of Town Panchayat,
Kuralagam Buildings, Chennai.

6.The Executive Officer,
Marudhur Town Panchayat, Marudhur, Karur

7.The Executive Officer,
Puthukkadai Town Panchayat,
Puthukkadai, Kanyakumari District.

8.The Executive Officer,
Kumarapuram Town Panchayat,
Kumarapuram, Kanyakumari District.

9.The Executive Officer
Verkilambi Town Panchayat
Kanyakumari District

10.The Executive Officer,
Valvachagostam Town Panchayat
Valvachagostam, Kanyakumari District

11.The Executive Officer
Harur Selection Grade Town Panchayat
Harur, Dharmapuri District

12.The Executive Officer,
Tiruvattar Town Panchayat
Tiruvattar,K.K.District

13.The Executive Officer,
Appakudal Town Panchayat
Appakadal, Erode.

14.The Executive Officer,
Thazhakudi Town Panchayat
Tazhakudi, K.K.District

15.The Executive Officer,
Eraniyal Town Panchayat
Eraniyal K.K.District

16.The Executive officer/Commissioner
Punjaipugalur Town Panchayat
Punjaipugalur, Coimbatore

17.The Executive Officer,
Udayenthiram I Grade Town Panchayat
Udayenthiram, Vellore

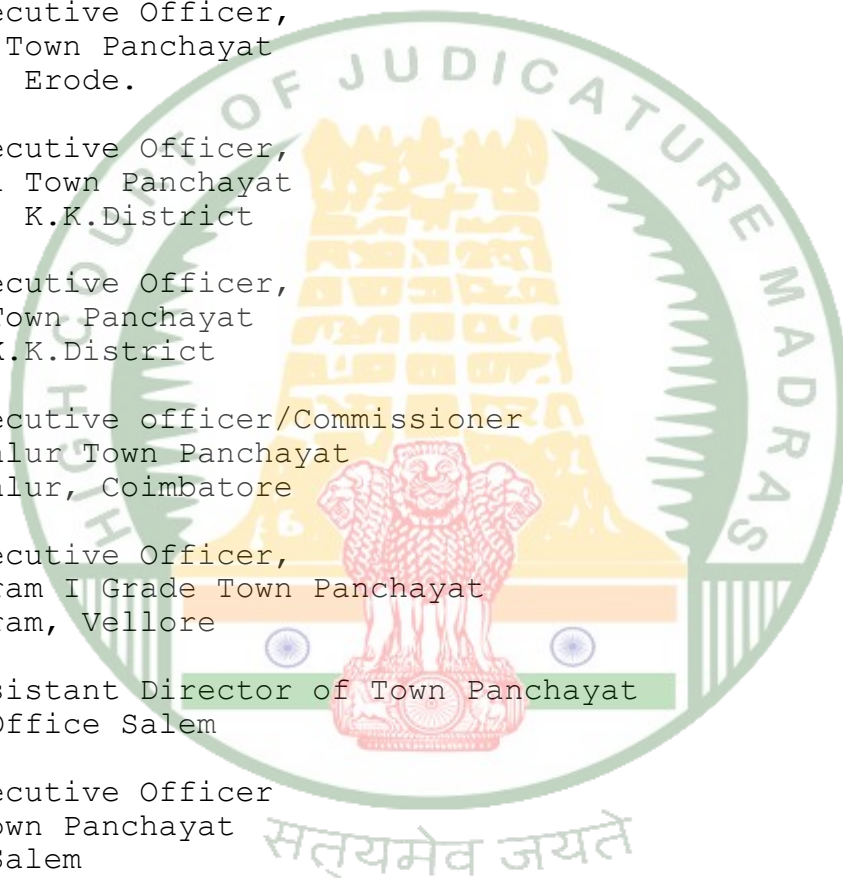
18.The Assistant Director of Town Panchayat
Regional Office Salem

19.The Executive Officer
Thevoor Town Panchayat
Thevoor, Salem

20. The Executive Officer,
Vilavoor Town Panchayat
Vilavoor, K.K.District.

21. The Executive Officer,
Villukuri I Grade Town Panchayat
Villukuri, K.K.District

22.The Executive Officer
Ammoor Town Panchayat
Ammoor, Vellore



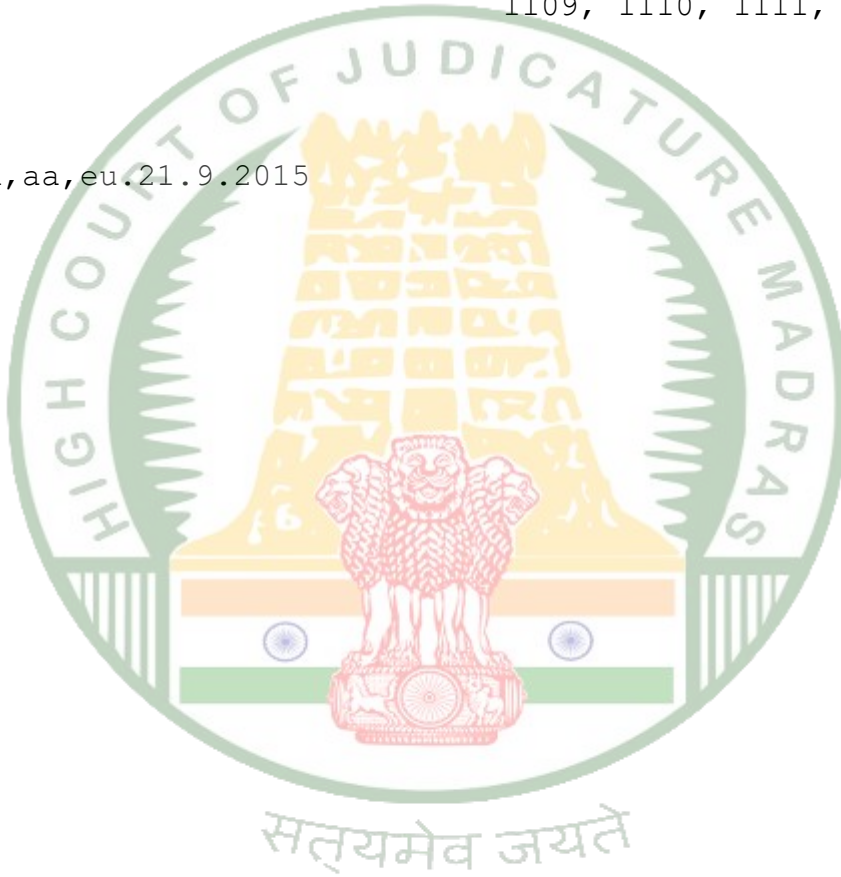
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23.The Executive Officer,
Elampillai Town Panchayat
Salem

+22 ccs to Mr.P.I.Thirumoorthy,Advocate sr41012
+1 cc to Mr.S.Doraisamy, Advocate sr.40567
+1 cc to Mr.V.Jayaprakash Narayanan, Advocate sr.40312

W.A. Nos.1307, 1359, 1481 and 1706 of 2014 &
734, 1036, 1097, 1098, 1099, 1100, 1101,
1102, 1103, 1104, 1105, 1106, 1107, 1108,
1109, 1110, 1111, 1112, 1113, 1150
and 1151 of 2015

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