

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 24.4.2015

CORAM:

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

W.P.No.12254 of 2015

1 V.Santha
2 M.Rathinasabapathy
3 K.Murugesan
4 A.Ramachandran
5 N.Periyasamy
6 M.S.Rajendran
7 K.Loganathan
8 K.Jayapalan
9 J.Mohideen Beer Ali
10 P.Ganeshan
11 R. Palanivelu

...Petitioners

Vs

1 State of Tamil Nadu
Rep. by its Principal Secretary to
Government Revenue Department Secretariat
Chennai-9.
2 The Special Commissioner and
Commissioner of Revenue Administration
Chepauk Chennai-5
3 The District Collector
Namakkal District.

...Respondents

Writ Petition filed under Art.226 of the Constitution of India praying for a Writ of Mandamus directing the respondents 1 and 2 to regularise the service of the petitioner immediately as per GO Ms.No.653 Revenue Ser 7(1) Department dated 14.11.2008 and as per Letter No.Ser.V(4)/84778/2010 dated 1.11.2010 issued by the 1st respondent and to pay the corresponding Salary and service benefits to the petitioners.

For petitioner Mr.V.Raghupathi

For respondents Mr.V.Jayaprakash Narayan, Spl.G.P.

O R D E R

The petitioners herein passed Special Test prior to 14.11.1980, that was prescribed as a pre-requisite for appointment to the post of Village Headman/ Karnam/Village Officer. The post of Village Headman/Karnam was abolished in 1980. The Government have issued G.O.Ms.No.439 Revenue, Ser 7(1) Department, dated 15.7.2008, directing the Tamil Nadu Public Service Commission to conduct special qualifying test for persons who were holding Village Headman/Karnam post prior to 14.11.1980, for the post of Village Administrative Officer, if they are qualified.

2. The petitioners appeared for the said special qualifying test on 7.9.2008 and 5.10.2008 and they were successful. In view of the same, they were appointed as Village Administrative Officer. According to the petitioners, some of them are still serving and are likely to retire shortly, while some have retired, rendering a very short service. Their grievance is that their services are not yet regularized in spite of letter No.Ser.V.(4)/84778/2010 dated 1.11.2010 from the Principal Secretary/Commissioner of Revenue Administration to all the District Collectors, except Chennai District, requesting to send proposals, for regularizing the services of persons like the petitioners and a specific direction was given in the said letter that such proposals should reach the Government before 30.11.2010.

3. The grievance of the petitioners is that no proposal was sent, in spite of a positive direction in the aforesaid letter dated 1.11.2010, from the Principal Secretary/ Commissioner of Revenue Administration. Hence, the petitioners have filed this Writ Petition for a direction to regularize their service as per G.O.Ms.No.653 Revenue Ser-7(1) Department dated 14.11.2008 and letter dated 1.11.2010.

4. In view of the aforesaid facts, the concerned District Collectors are directed to send proposals to the Principal Secretary/Commissioner of Revenue Administration, as directed by the second respondent in the aforesaid letter dated 1.11.2010, within a period of three weeks from the date of receipt of a copy of this order, and the Government is directed to pass orders thereon within a period of 12 weeks thereafter.

5. The Writ Petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar (CS-III)

//True Copy//

tar Sub Assistant Registrar

To

1 The Principal Secretary to
Government, Revenue Department, Secretariat
Chennai-9.

2 The Special Commissioner and
Commissioner of Revenue Administration
Chepauk Chennai-5

3 The District Collector
Namakkal District.

1 CC to Mr.V.Raghupathi, Advocate SR.No. 22705

1 CC to the Government Pleader, SR.No. 22945

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CNR (CO)
PSI (07.05.2015)

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