

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.04.2015

CORAM:

THE HON'BLE MR.JUSTICE D.HARIPARANTHAMAN

W.P.No.12274 of 2015

1.M.Karunanithi
2.A.Susainathan

... Petitioners

Vs.

1.State of Tamil Nadu,
Rep by its Principal Secretary to Government,
Revenue Department,
Secretariat,
Chennai-600 009.

2.The Special Commissioner and Commissioner
of Revenue Administration,
Chepauk,
Chennai-600 005.

3.The District Collector,
Thanjavur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for a Writ of Mandamus directing the respondents 1 & 2 to regularize notionally the services of the petitioners in view of the G.O.Ms.No.653 Revenue Ser 7(1) Department dated 14.11.2008 and in view of the Letter No.Ser.V(4)/84778/2010 dated 01.11.2010 issued by the 2nd respondent and pay the corresponding salary to the service and pensionary benefits to the petitioners.

For Petitioner : V.Raghupathi

For Respondents : V.Jayaprakash Narayanan Spl.G.P.

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O R D E R

The petitioners herein passed Special Test prior to 4.11.1980, 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 Officers. 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 01.11.2010 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//

Sub Assistant Registrar

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To

- 1.The Principal Secretary to Government,
State of Tamil Nadu,
Revenue Department,
Secretariat,
Chennai-600 009.
- 2.The Special Commissioner and Commissioner,
of Revenue Administration,
Chepauk,
Chennai-600 005.
- 3.The District Collector,
Thanjavur District.

+1cc to Mr.V.Raghupathi, Advocate, S.R.No.22704
+1cc to the Government Pleader, S.R.No.22953

W.P.No.12274 of 2015

RSY(CO)
CA(07/05/2015)

सत्यमेव जयते

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