

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.07.2015

CORAM:

THE HONOURABLE MR. JUSTICE D.HARIPARANTHAMAN

Writ Petition Nos.22912, 22913 and 20209 of 2015
and M.P.No.1 of 2015 in W.P.No.20209 of 2015

P.Veerapandian

...Petitioner in
W.P.No.22912/2015

C.Marimuthu

...Petitioner in
W.P.No.22913/2015

- 1.S.Sathayanarayanan
- 2.J.Vasu
- 3.K.Rajendran
- 4.K.Ravichandran
- 5.T.A.Karunanidhi
- 6.S.Jaishankar
- 7.M.Sudhaker
- 8.S.Albert
- 9.N.Loganathan
- 10.G.Balakrishnan
- 11.M.Sivakumar
- 12.A.Arumugam
- 13.W.Daniel Selvaraj
- 14.S.Deivaannai
- 15.R.Madhavi
- 16.B.Chandrasekaran
- 17.S.Natarajan
- 18.M.Draavidamani
- 19.K.Varatharajan
- 20.P.Palani
- 21.S.Basalur Rehman
- 22.C.Rengayan
- 23.S.Karuppian
- 24.V.Balathandayuthapani
- 25.V.Narayanarao
- 26.Manonmani
- 27.N.Parvathy
- 28.S.Hariharakrishnan
- 29.Nagarajan
- 30.S.Dhandapani
- 31.R.Thanusu
- 32.P.Mohan
- 33.S.Suganthi
- 34.G.Srinivasan

35.E.Rajendra Babu
36.B.V.Mohan

...Petitioners in
W.P.No.20209/2015

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 Panchayats,
Kuralagam, Chennai - 108.

3.The Secretary,
Tamilnadu Public Service Commission,
Chennai -3.

...Respondents in all WPs

Petitions filed under Article 226 of the Constitution of India for the issuance of writ of mandamus, directing the third respondent commission to grant concurrence for appointment/regulations of the petitioners in the post of Junior Assistant/Bill Collector in the town panchayat set up in light of the recommendations made by the first respondent in its Roc.No.16830/TP-1/2013-6 dated 24.03.2015.

For Petitioners : Mr.N.Balamuralikrishnan

For Respondents : Mr.V.Jayaprakash Narayanan
Special Govt.Pleader for R1 and R2
Ms.C.N.G.Niraimathi for R3

C O M M O N O R D E R

The petitioners were initially discharging duties in the entry level post as Junior Assistant / Bill Collector etc., in the town panchayat on NMR basis.

2. The first respondent issued G.O.Ms.No.125 (Municipal Administration and Water Supply Department), dated 27.05.1999 to regularise such of those employees, who were working on NMR basis by bringing them on consolidated pay for a period of one year and thereafter, on completion of one year, such persons were to be brought on regular time scale of pay.

3. The grievance of the petitioners is that inspite of possessing required qualifications for being appointed to the entry level post, they were regularised in the basic post of Office Assistants on 02.06.2011. According to the petitioners, while injustice took place in Town Panchayats, placing reliance on the above said Government order, similar persons like the petitioners employed in Municipalities/Corporations were regularised as Bill Collector/Junior Assistant/Work Inspector etc., based on the

qualifications possessed by them.

4. The association, representing persons like the petitioners in the Town Panchayats took up the matter with respondents 1 and 2. While so, the second respondent recommended the case of the petitioners and other similarly situated persons by sending proposal dated 09.07.2012 to absorb them in the entry level post such as Junior Assistant/Bill Collector etc.

5. The first respondent also accepted the recommendation of the second respondent on 30.05.2014 and proposal was sent to the third respondent for formal concurrence.

6. According to the petitioner, the third respondent returned the proposal to the Government on 06.01.2015, seeking certain clarification. The first respondent again sent another proposal on 24.03.2015 to the third respondent and requested to give concurrence as a one time measure, inasmuch as similarly placed persons working in municipalities/corporations were directly appointed to the entry level post at the time of regularisation.

7. The petitioners have come up with these writ petitions seeking for a direction to the third respondent to grant concurrence for appointment/regularisation of the petitioners in the post of Junior Assistant/Bill Collector in the town panchayat set up, in light of the proposal sent by the first respondent dated 24.03.2015 for concurrence.

8. In view of the narrow prayer made, the third respondent is directed to pass orders on the proposal sent by the first respondent, dated 24.03.2015 in the light of the facts set out above, within a period of two months from the date of receipt of a copy of this order.

The writ petitions are disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

svki

To

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 Panchayats,
Kuralagam, Chennai - 108.

3.The Secretary,
Tamilnadu Public Service Commission,
Chennai -3.

3 cc to M/s.V.Vijay Shankar, Advocate Sr.No.39263, 39264, 39265

2 cc to Government Pleader.Sr.No.39088, 39312

W.P.Nos.22912, 22913
and 20209 of 2015

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pmk.13.8.2015



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