

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :: 31.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

W.P.No.23488 of 2015

1.Thanappan
2.Niyanaprakasam
3.K.Arumugasamy ...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
Thirunelveli 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 notionally the service of the petitioners in view of GO Ms.No.653 Revenue Ser 7(1) Department dated 14.11.2008 and in view of Letter No.Ser.V(4)/8477812010 dated 01.11.2010 and pay the corresponding service and pensionary benefits to the petitioners.

For Petitioners : Mr.V.Raghupathi

For Respondents : Ms.M.E.Raniselvam,
Addl.Govt.Pleader

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 Officers. According to the petitioners, they retired from service, 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/-

Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

To

1. The Principal Secretary to Government, Revenue Department, Secretariat , State of Tamil Nadu Chennai-9.
- 2 The Special Commissioner and Commissioner of Revenue Administration Chepauk, Chennai-5

3 The District Collector
Thirunelveli District.

+lcc to Mr.V.Raghupathi, Advocate sr.39755
+lcc to The Government Pleader sr.39807

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srg 21.08.2015



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