

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.08.2015

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.24316 OF 2015

and

M.P.No.1 of 2015

R.Devaki

...

Petitioner

Vs.

1. State of Tamilnadu Rep. By
The Secretary to Government,
Social Welfare Department,
Secretariat,
Chennai-9.

2. The Commissioner of Social Welfare,
Nutritious Meal Programme,
Sidco Old Building,
Industrial Estate,
Guindy,
Chennai-600 032

...

Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to declare the probation for the petitioner forthwith as it is delayed for more than 10 years and consequently award the periodical increments due to be paid to the petitioner as per the fundamental rules and give promotions with reference to their date of initial appointment, leave benefits and all other benefits available to the regulars Govt., servant with effect from the date of their initial appointment as their service regularized by an order passed by the 1st respondent in G.O.MS.No.94, Social Welfare and Nutritious Scheme Dept., dated 23.10.13 with reasonable interest or cost.

For Petitioner : Mr.Singara Velan
for Ms.Srividhya

For Respondents : Mr.M.S.Ramesh
Additional Government Pleader

O R D E R

Heard the learned counsel for the petitioner as well as the learned Additional Government Pleader appearing for the respondents.

2. The petitioner states that she was selected to the post of Typist (Noon Meal Programme) on consolidated pay of Rs.600/- through the employment exchange and she joined the services on 13.01.1992 in the Collectorate at Trichy. By the order passed by the first respondent in G.O.Ms.No.94 dated 23.10.2013, the services of the petitioner was regularized with effect from 12.01.2006.

3. According to the learned counsel for the petitioner, the main grievance of the petitioner is that the services of the petitioner is regularized only with effect from 12.01.2006 and the same ought to have been regularized with effect from the date of the initial appointment. The probation of the petitioner was also not declared.

3. The petitioner submitted a representation dated 16.07.2015 to the respondents seeking to declare the probation of the petitioner forthwith and also to award the periodical increments due to be paid to the petitioner and also to give promotion with reference to their date of initial appointment, leave benefits and all other benefits available to a regular Government Servant with effect from the date of their initial appointment. Since, no orders have been passed, the petitioner has come forward with this Writ Petition seeking for the aforesaid relief.

4. Considering the facts and circumstances of the case and also considering the submissions made by the learned counsel appearing on either side, without going into the merits of the case, the second respondent is directed to consider and pass orders on the representation of the petitioner dated 16.07.2015, on merits and in accordance with law and also in the light of G.O.Ms.No.94, Social Welfare and Nutritious Scheme Department, dated 23.10.2013, within a period of six weeks from the date of receipt of a copy of this order.

This Writ petition is disposed of accordingly. No costs.

Consequently, connected Miscellaneous Petition is closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

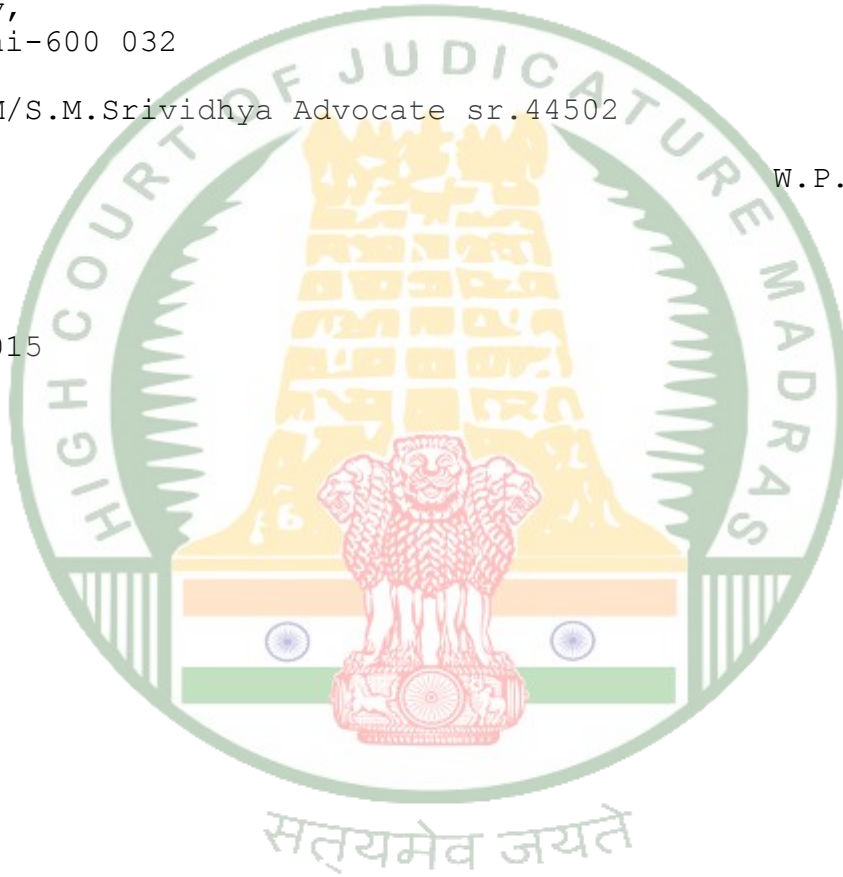
To

1. The Secretary to Government of TamilNadu
Social Welfare Department,
Secretariat,
Chennai-9.
2. The Commissioner of Social Welfare,
Nutritious Meal Programme,
Sidco Old Building,
Industrial Estate,
Guindy,
Chennai-600 032

+1 cc to M/S.M.Srividhya Advocate sr.44502

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