

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 11.08.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.24665/2015

P.Sankar

... Petitioner

Versus

1. The Secretary to the Government
Social Welfare & Nutritious Meal Program
Department, Fort St George, Chennai 600 009.
2. The Director of Social Welfare,
2nd Floor, SIDCO Corporate Office
Old Building, TVK Industrial Estate
Guindy, Chennai 600 032.
3. The District Social Welfare Officer
N.K.Road, Thanjavur 613 006.
4. The Superintendent
Government Service Home Higher
Secondary School, N.K.Road,
Thanjavur 613 006.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus directing the respondents 1 and 2 to regularise the service the petitioner in the cadre of the Junior Assistant based on the proposal sent by the 4th respondent in Na.Ka.No.1116/A1/2008 dated 09.07.2015 within a reasonable time.

For Petitioner : Mr.K.Venkatramani,
Senior Counsel for
Mr.M.Muthappan

For Respondents : Mr.V.Subbiah, AGP

O R D E R

By consent, the writ petition is taken up for final disposal.

2.The petitioner would state that his father, namely [Late] U.Parthasarathy, while serving as Office Assistant in the office of the Child Development Project Office, Nallur, Cuddalore District, died in harness on 22.11.1992, leaving behind his wife and the petitioner herein, to succeed to his estate. The petitioner was aged about 12 years at the time of the demise of his father and on attaining the age of majority, he sought for appointment on compassionate ground, based on the recommendation of the Tahsildar, Papanasam, Thanjavur District. The petitioner would further state that he was appointed by the 2nd respondent, vide proceedings dated 31.08.2007 under Rule 10[a][1] of the Tamilnadu State and Subordinate Service Rules as Junior Assistant and he reported for duty before the 3rd respondent on 07.09.2007 and serving the in the department without any adverse remarks. The grievance expressed by the petitioner is that though he was appointed as early as on 31.08.2007 as Junior Assistant and reported for duty on 07.09.2007, his services have not been regularised. Albeit the 4th respondent has sent proposals addressed to the 2nd respondent on 12.11.2008, 17.03.2009, 27.04.2009, 07.10.2009, 29.06.2010, 21.07.2011, 08.03.2012 and 09.07.2015, the 2nd respondent is yet to forward the same to the 1st respondent for regularising the services of the petitioner and hence, the petitioner came forward to file this writ petition.

3.This Court heard the submissions of Mr.K.Venkataramani, learned Senior counsel for the petitioner and Mr.V.Subbiah, learned Special Government Pleader, who accepts notice on behalf of the respondents.

4.Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances, directs the 2nd respondent to forward necessary proposal to the 1st respondent within a period of two weeks from the date of receipt of a copy of this order and the 1st respondent, on receipt of the said proposal, is directed to consider the same on merits and in accordance with law and pass orders within a further period of eight weeks thereafter and communicate the decision taken, to the petitioner.

5.The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

AP

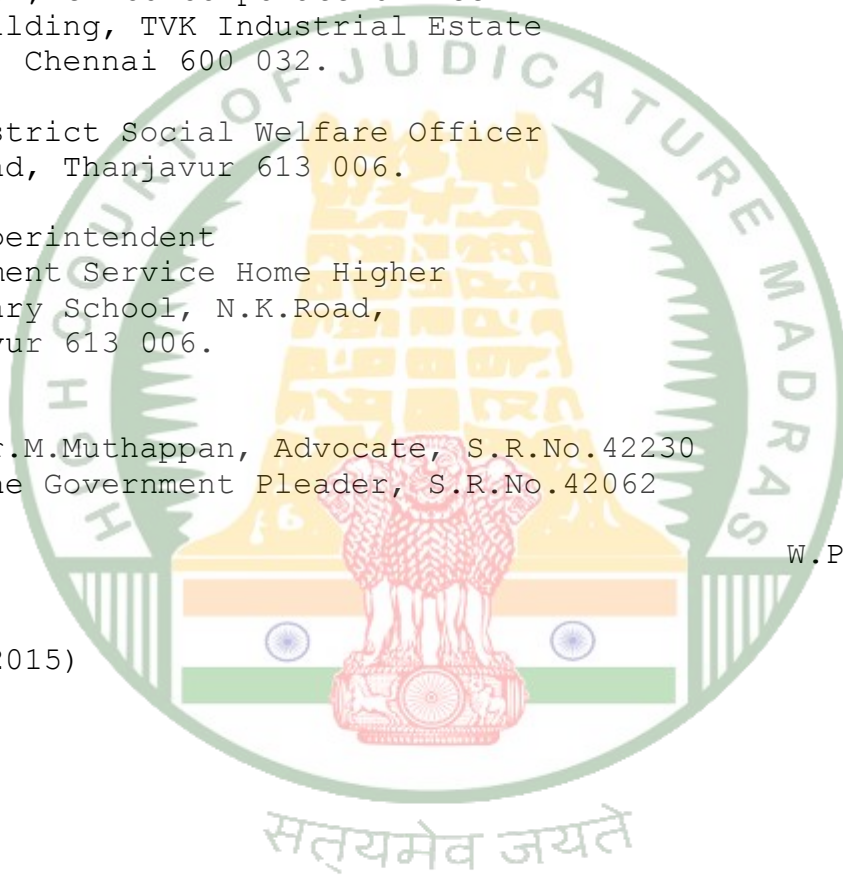
To

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+1cc to Mr.M.Muthappan, Advocate, S.R.No.42230
+1cc to the Government Pleader, S.R.No.42062

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LRS (CO)
CA(02/09/2015)



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