

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 7.10.2015.

CORAM

THE HON'BLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.31644 of 2015

K.Sivakasi

...Petitioner

vs.

1 The State of Tamil Nadu
Rep by its Secretary to
Government
Revenue Department
Fort St. George
Chennai 600 009

2 The Commissioner
Land Administration
Chepauk Chennai 600 005

3 The District Collector
Tanjore District Tanjore

4 The Chatram Tahsildar
Tanjore and District

...Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the 1st respondent to implement the recommendation made by the 2nd respondent in Letter No. L2/12917/2006 dated 21.5.2013 and consequently direct the respondents to regularize the services of the petitioner as Office Assistant and bring him under time scale of pay and pay the backwages and other service benefits including the pensionary benefits.

For Petitioner : Mr.N.Sampath
For Respondents : Mr.N.Srinivasan,
Additional Govt. Pleader

ORDER

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

2. The petitioner had registered his name in the jurisdictional employment exchange and was qualified as on 14.8.2000. Therefore, he was appointed as Watchman on 30.8.2010 and accordingly, he has been working continuously in that capacity under the third respondent. The petitioner further submitted that similarly placed persons C.Palanisamy, Arayee and Kaliaperumal have filed W.P.No.12308 of 2005 and W.P.No.11452 of 2006 praying for regularization and to bring them under time scale of pay and also confer with consequential benefits and it was ordered on 30.4.2010 and the appeal filed by the official respondents in W.A.No.598 of 2011 was dismissed on 18.4.2011 and the third respondent, vide his proceedings dated 16.6.2011, implemented the order and regularized the services of C.Palanisamy. Similarly, the legal representatives of Kaliyaperumal who was similarly placed like that of the petitioner also filed W.P.No.11452 of 2006 and that writ petition was also ordered on 12.1.2012 and the same was implemented the third respondent vide his proceedings dated 3.5.2012.

3. The grievance expressed by the petitioner is that since he is similarly placed like that of C.Palanisamy and Kaliaperumal, he has to be conferred with benefits of regularization of service and also with consequential benefits and in this regard, the second respondent also made a positive recommendation vide his letter No.L2/12917/2006 dated 21.5.2013 and hence, prays for appropriate orders.

4. Heard the submissions of the learned counsel appearing for the petitioner and Mr.N.Srinivasan learned Additional Government Pleader appearing for the respondents

5. This court, taking into consideration of the above facts and circumstances, directs the first respondent to take into consideration the proposal/recommendation of the second respondent in his letter No.L2/12917/2006 dated 21.5.2013 and pass orders on merits and in accordance with law within a period of eight weeks from the date of receipt of copy of this order.

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

sd/
ASSISTANT REGISTRAR (CO)

/TRUE COPY/

SUB-ASSISTANT REGISTRAR

ssk.

To

- 1 The Secretary to
Government,
Revenue Department ,
Fort St. George ,
Chennai, 600 009
- 2 The Commissioner
Land Administration
Chepauk Chennai 600 005
- 3 The District Collector
Tanjore District Tanjore
- 4 The Chatram Tahsildar
Tanjore and District

+1 CC to MR. N.Sampath Advocate. SR.NO. 54438
+1 CC to Govt.Pleader. SR.NO. 54701

सत्यमेव जयते

W.P.No.31644 of 2015

CO-BVR
JD 28/10/2015

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