IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 15.10.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.33046/2015

K.Vasugi ..Petitioner

Versus

1.The Secretary
Government of Tamilnadu
Adi Dravidar & Tribal Welfare
Department, Fort St George
Chennai 600 009.

2.The Commissioner of Adi Dravidar Welfare
Office at Chepauk, Chennai 600 005.

3.The District Adi Dravidar Welfare Officer
Cuddalore District. ..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for a writ of Mandamus directing the respondents to extend the benefit of G.O.ms.No.60, Adi Dravidar and Tribal Welfare Department dated 07.06.2010 in favour of the petitioner so as to enable her to get retrospective regularisation of the services rendered by her from 25.01.1990 on par with her co-appointee Ms.R.Jayamani, who services was regularised retrospectively by virtue of the above said Government order and consequential benefits including enhanced pension by considering the representation dated 25.06.2015.

For Petitioner : Mr.S.Mani

For Respondents: Mr.V.Subbiah, Spl.GP

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ORDER

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

2 The petitioner would state that she was appointed as BT. Assistant [History] through Employment Exchange on contract basis along with 191 persons on 25.01.1990 and as per Government Order in G.O.No.16729/ADW-7/96 dated 09.06.1996, the services of 191 persons were regularised with effect from

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20.06.1996 and 09.09.1996 respectively and as far as the petitioner is concerned, her services were regularised from 09.09.1996. The persons who were appointed along with the petitioner herein, have submitted a representation praying for regularisation of service from the date of their initial appointment and the Government has considered the said issue and passed G.O.Ms.No.60, Adi Dravidar and Tribal Welfare Department dated 07.06.2010, in and by which, services of 174 persons out of 194 persons were regularised from the date of their initial appointment and however, in the Annexure of the said Government Order, the name of the petitioner has been omitted and the petitioner has also retired from service on 30.06.2014. Though the Special Tahsildar, Adi Dravidar Welfase, sent a proposal with a request to take the initial date of appointment of the petitioner for the purpose of calculating pensionary benefits, the Accountant General of Tamil Nadu, did not accede to the said request for the reason that unless there is a specific order, he cannot do so. The petitioner in this regard, has submitted a representation dated 25.06.2015 to the respondents through proper channel to extend the benefit of G.O.Ms.NO.60 dated 07.06.2010 and since no orders have been passed, he came forward to file this writ petition.

3 Heard the submissions of the learned 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 1st respondent to consider and dispose of the petitioner's representation dated 25.06.2015 on merits and in accordance with law, after taking note of G.O.Ms.No.60 dated 07.06.2010 and pass orders within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

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

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Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

AP

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To

1.The Secretary
Government of Tamilnadu
Adi Dravidar & Tribal Welfare
Department, Fort St George
Chennai 600 009.

2.The Commissioner of Adi Dravidar Welfare
Office at Chepauk, Chennai 600 005.

3.The District Adi Dravidar Welfare Officer
Cuddalore District.

+1cc to Mr.S. Mani, Advocate, S.R.No.56778

+1cc to the Government Pleader, S.R.No.57606

MSM(CO)
EU(02/11/2015)

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