



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.08.2015

CORAM:

THE HONOURABLE MR.JUSTICE T.RAJA
W.P (MD) No.14369 of 2015

S.Subburam

... Petitioner

Vs.

1.The Special Commissioner,
Rehabilitation Department,
Chepauk, Chennai 600 005.

2.The District Collector,
Ramanathapuram District.

3.The Deputy Collector,
Mandapam Camp,
Ramanathapuram.

.. Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents herein to forthwith regularize the petitioner's service in the post of Watchman on a regular time scale of pay and to pay the arrears and backwages from the date of such regularization within the time stipulated by this Court based on the petitioner's representation dated 06.07.2015.

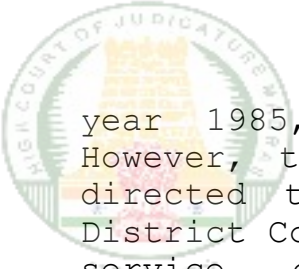
For Petitioner : Mr.N.Mariappan
For Respondents : Mr.J.Gunaseelan Muthiah
Govt. Advocate

O R D E R

This writ petition has been filed by Mr.S.Subburam, who was appointed as a Goorkha Watchman by the third respondent on 07.01.1985 on a consolidated pay of Rs.400/- per month, seeking a writ of mandamus directing the respondents to regularize the service in the post of Watchman on a regular time scale of pay and to pay the arrears and backwages from the date of such regularization on the basis of the representation dated 06.07.2015.

2.Heard the learned counsel appearing for the petitioner. Mr.J.Gunasellan Muthiah, learned Government Advocate takes notice for the respondents.

3.The appointment order, dated 07.01.1985 and the proposal issued by the Deputy Collector, Mandapam Camp, dated 23.12.1993 clearly shows that after his appointment as Goorkha Watchman in the



year 1985, his case has been recommended for regularization. However, the first respondent instead of approving the proposal, directed the petitioner to approach the second Respondent, the District Collector, who is the competent authority to regularize the service, once again. Subsequently, on approaching the second respondent, a similar proposal has been made to the Additional Secretary, Revenue and Administration during the year 2013 requesting to regularize the service of the petitioner.

4. In that view of the matter, the first respondent, the Special Commissioner, Rehabilitation Department is hereby directed to consider the case of the petitioner for regularization of service on the basis of the proposal already sent by the third respondent to the second respondent within a period of two months from the date of receipt of a copy of this order.

5. With the above direction, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (C.O)

/True Copy/

Sub-Assistant Registrar

To

1. The Special Commissioner,
Rehabilitation Department,
Chepauk, Chennai 600 005.

2. The District Collector,
Ramanathapuram District.

3. The Deputy Collector,
Mandapam Camp,
Ramanathapuram.

+One cc to Mr. N. Mariappan, Advocate, SR.No.48563

+One cc to The Special Government Pleader, SR.No.48654

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RL/6 c-9/9/2015

W.P. (MD) No.14369 of 2015

21.08.2015