

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:- 28.04.2016

CORAM:

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.No.16171 of 2016

B.Rajan @ Krishnakumar

...Petitioner

Versus

1.The Secretary to Government,
Rural Development and
Panchayat Raj Department,
Fort St.George,
Chennai 600 009.

2.The District Collector,
Erode District,
Erode.

3.The Commissioner,
Bhavanisagar Panchayat Union,
Bhavanisagar,
Erode District.

....Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India to issue a writ of mandamus to direct the second respondent to consider the proposals forwarded by the third respondent in Na.Ka.No.685/11/A1 dated 08.04.2013 for appointment to the post of Night Watchman or Office Assistant in terms of G.O.Ms.No.55 Rural Development and Panchayat Department dated 15.06.2006.

For Petitioner :: Mr.S.Kamadevan

For Respondents :: Mr.R.Vijayakumar for R1 and R2
Additional Government Pleader

Mr.P. Karthikeyan for R3

O R D E R

The petitioner B.Rajan @ Krishnakumar has joined the service of the third respondent panchayat union as Fitter Assistant on 01.01.1990 on daily wages and he served upto 30.04.2004. After some break, he again rejoined from March

2009. Since then, he has been working for more than 20 years continuously as Fitter Assistant without getting the benefit of regularisation. There were 985 Fitter Assistants working throughout Tamilnadu for several years on daily wages, who had not been regularized for long time. Therefore, the Association took up the matter to the Government to the respondents for regularisation and payment of the time scale of pay on sympathetic consideration. Pursuant to the abovesaid request, the Government came forward to issue G.O.Ms.No.55 Rural Development and Panchayat Department dated 15.06.2006. After some time, a proposal has also been sent on 08.04.2013 by the Block Development Officer, Bhavani Sagar. The claim of the petitioner is to consider the said proposal by the second respondent, which could meet the ends of justice.

2.Mr.R.Vijayakumar, learned Additional Government Pleader takes notice for respondents 1 and 2. Mr.P.Karthikeyan, learned counsel takes notice for the third respondent.

3.Heard both sides.

4.Since the case of the petitioner has already been forwarded by the Block Development Officer, Bhavani Sagar through his proposal dated 08.04.2013, the District Collector, Erode, is directed to consider the said proposal dated 08.04.2013 in Na.Ka.No.685/11/A1 dated 08.04.2013 for appointment to the post of Night Watchman and Panchayat Assistant in terms of G.O.Ms.No.55 Rural Development and Panchayat Department dated 15.06.2006 within a period of eight weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

vri

To

1.The Secretary to Government,
Rural Development and
Panchayat Raj Department,
Fort St.George,
Chennai 600 009.

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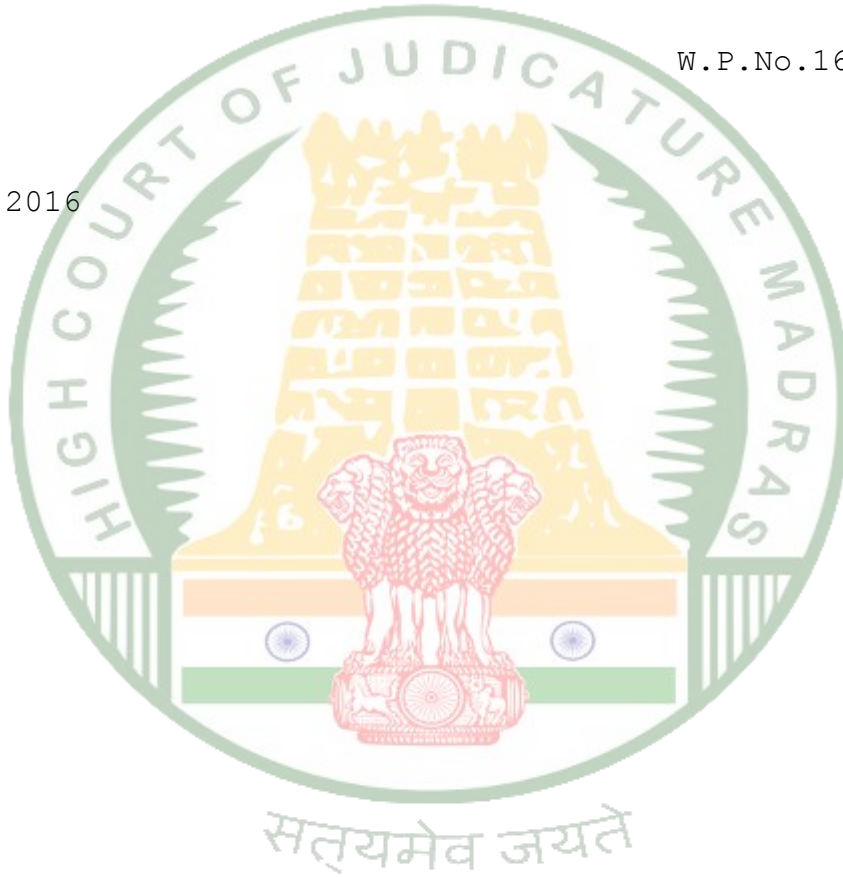
2.The District Collector,
Erode District,
Erode.

3.The Commissioner,
Bhavanisagar Panchayat Union,
Bhavanisagar,
Erode District.

1 cc to Mr.S.Kamadevan, Advocate, sr.27000
1 cc to Government Pleader, sr.27404

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