

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.09.2016

CORAM:

THE HONOURABLE MR. JUSTICE R.SUBBIAH

W.P.No.30758 of 2016

V.Rajendiran

.. Petitioner

vs.

1.The Secretary to Government of Tamil Nadu,
Panchayat and Rural Development Department,
Secretariat, Fort St.George,
Chennai-600 009.

2.The Director,
Rural Development Department,
Panagal Building, Saidapet,
Chennai-600 015.

3.The District Collector,
O/o. The District Collector,
Nagapattinam,
Nagapattinam District.

4.The Personal Assistant (Panchayat
& Rural Development),
to the District Collector,
O/o.The District Collector,
Nagapattinam,
Nagapattinam District.

5.The Commissioner/Block Development Officer,
Sirkali Panchayat Union,
Sirkali, Nagapattinam District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents 1 and 2 herein to regularize the petitioner's service from 05.09.1983 as per G.O.Ms.No.267 dated 22.12.1999 by paying all monetary and pensionary benefits and also to repay the wrongly deducted salary amount of Rs.3,46,248/- with interest to the petitioner based on his representation dated 01.04.2016.

For Petitioner : Mr.S.Kumaradevan
For Respondents : Mr.L.Jagadish,
Special Government Pleader

O R D E R

This Writ Petition has been filed praying for issuance of a Writ of Mandamus directing the respondents 1 and 2 to regularize the petitioner's service from 05.09.1983 as per G.O.Ms.No.267 dated 22.12.1999 by paying all monetary and pensionary benefits and also to repay the wrongly deducted salary amount of Rs.3,46,248/- with interest to the petitioner based on his representation dated 01.04.2016.

2. The grievance expressed by the petitioner is that he is eligible to get regularization of service after completion of 10 years from the date of appointment as per G.O.Ms.No.267 dated 22.12.1999 and his years of service starts from 04.05.1973 to 04.05.1983 and his service has to be regularized with effect from 04.05.1983, but the respondents wrongly regularized his service from 01.04.1991 taking into account my date of appointment as 01.04.1981 and also wrongly deducted a sum of Rs.3,46,248/- from his salary from August 2004 to June 2014, prior to that from 21.12.1999 to 30.06.2000, which is against the principles of natural justice and also in violation of G.O.Ms.No.267 dated 22.12.1999. The petitioner, in this regard, made repeated representations to the respondents and since no response is forthcoming, came forward to file this writ petition.

3. Heard the submissions of Mr.S.Kumaradevan, learned counsel appearing for the petitioner, Mr.L.Jagadish, learned Special Government Pleader appearing for the respondents and also perused the materials placed before it.

4. This Court, without going into the merits of the petitioner's representation dated 01.04.2016, permits the petitioner to submit one more representation by enclosing a copy of this order within a period of one week from the date of receipt of a copy of this order to the respondents 1 and 2, who on receipt of the same, shall pass orders on merits and in accordance with law within a period of six weeks thereafter.

5. This Writ Petition is disposed of accordingly. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

- 1.The Secretary to Government of Tamil Nadu,
Panchayat and Rural Development Department,
Secretariat, Fort St.George,
Chennai-600 009.
- 2.The Director,
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O/o. The District Collector,
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Nagapattinam, Nagapattinam District.
- 5.The Commissioner/Block Development Officer,
Sirkali Panchayat Union,
Sirkali, Nagapattinam District.

+1 cc to Mr.S.Kumaradevan Advocate sr 51777

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