

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.11.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.40919 of 2016

P.Muni Raj

... Petitioner

Vs.

1.The Director of Public Libraries
Anna Salai, Chennai.

2.The District Library Officer,
Dharmapuri,
Dharmapuri District.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 06.06.2016 in the light of G.O.Ms.No.385/2010 Finance (pay Cell) Department date 01.10.2010 and regularize the service of the petitioner.

For Petitioner : M/s.N.Valliamma

For Respondents : Mr.V.Anandhamoorthy
Additional Government Pleader

O R D E R

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

2.The present writ petition has been filed seeking a Mandamus directing the respondents to consider the petitioner's representation dated 06.06.2016 in the light of G.O.Ms.No.385/2010 Finance (pay Cell) Department date 01.10.2010 and regularize the service of the petitioner.

3.In the petition it is stated that the petitioner joined as part time Sweeper on 21.04.2002 at Po.Mallapuram Branch Library through Employment and he has completed more than 14 years of continuous service. The petitioner has studied upto SSLC. Though the petitioner was appointed as part time worker, he is working full day.

4.It is further stated that the Government has passed Government Orders to regularize the part time workers who are working under the Government Offices and other Departments and has also passed G.O.Ms.No.385 dated 01.10.2010, modifying the earlier Government Order. Hence, the petitioner made representation to the respondents on 03.08.2013 seeking to regularize his service, but his request was rejected by the second respondent. According to the petitioner, he is eligible to be regularized as per G.O.Ms.No.385 and since his representation was rejected, came forward to file this writ petition.

5.Heard the submissions of the learned counsel appearing for the petitioner and the learned Additional Government Pleader who takes notice for the respondents.

6.Considering the submissions made on either side and without going into the merits of the case, this Court directs the petitioner to give fresh representation, along with a copy of this order to the respondents, within a period of two weeks from the date of receipt of a copy of this order and the respondents on receipt of the same are directed to consider the said representation and pass appropriate orders, on merits and in accordance with law, within a period of six weeks thereafter.

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

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Director of Public Libraries
Anna Salai, Chennai.
- 2.The District Library Officer,
Dharmapuri,
Dharmapuri District.

+1cc to Mr.N.Valliamma, Advocate, S.R.No.67711

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SS(CO)
CA(21/12/2016)