

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 21.12.2016

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.43892 of 2016

Tamilkudimahan

... Petitioner

Vs.

1.The District Collector,
Vellore District, Vellore.

2.The Block Development Officer,
Walaja Union,
Walaja, Vellore District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, for the issuance of writ of mandamus, directing the respondents herein to consider the petitioner's representation dated 11.11.2016 submitted with regard to regularization of the petitioner's appointment to the post of Panchayat Assistant, Padiyambakkam Panchayat, Walaja Panchayat Union, Vellore District from 31.05.2015 onwards.

For Petitioner : Mr.K.Premkumar

For Respondents: Mr.K.Dhananjayan,
Special Government Pleader [R1]
Mr.K.Thangapandi,
Government Advocate [R2]

O R D E R

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

2. The petitioner would state that Padiyampakkam Panchayat has passed a resolution dated 09.04.2015 to fill up the posts of Panchayat Assistants and the same was approved by the Panchayat council and accordingly, applications were invited from eligible persons and the petitioner has also applied for the same and after selection process, seven persons were selected as Panchayat Assistants and it was also approved by the Panchayat council on 06.05.2015. The petitioner was also issued with an

order of appointment on 31.05.2015 and he is discharging duties from 31.05.2015 onwards. It is further stated by the petitioner that though he was appointed by the person of the local body as per the provisions of the Tamil Nadu Panchayat Act, till date his service is yet to be regularised and as a consequence, he has not been paid with salary. The petitioner in this regard has also submitted a representation to the respondent praying for regularization from the date of his appointment on 31.05.2015 onwards, and since it has not been considered and given disposal, came forward to file this writ petition.

3. The learned counsel appearing for the petitioner has drawn the attention of this Court to the letter of the second respondent dated 10.08.2018 in Na.Ka.No.Aa2/1182/2016, addressed to the first respondent making a positive recommendation for regularization of service and also grant of time scale of pay and therefore, it would suffice to direct the first respondent to act on the proposal of the second respondent within a stipulated time.

4. This Court heard the submissions of Mr.K.Dhananjayan, learned Special Government Pleader, who accepts notice on behalf of the first respondent and Mr.K.Thangapandi, learned counsel, who accepts notice on behalf of the second respondent.

5. Though the petitioner prayed for a larger relief, this Court in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner, directs the first respondent to act on the proposal/communication of the second respondent dated 10.08.2016 on merits and in accordance with law 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.

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

सत्यमेव जयते

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

To

1.The District Collector,
Vellore District, Vellore.

2.The Block Development Officer,
Walaja Union,
Walaja, Vellore District.

+lcc to Mr.P.Subbaraj, Advocate Sr.74609

+lcc to the Government Pleader Sr.74718

Writ Petition No.43892 of 2016

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srg 18/01/2017



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