

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.02.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.7296 of 2016

P.A.Chandrasekaran

... Petitioner

-Vs-

1. State of Tamil Nadu
rep.by its Secretary to Government
Rural Development and Panchayat
Raj Department
Secretariat
Chennai 600 009
2. Commissioner of Rural Development and
Panchayat Raj
Panagal Building
Chennai 600 015
3. District Collector
Kancheepuram District
Kancheepuram
4. Commissioner
Kattankolathur Panchayat Union
Kattankolathur
Kancheepuram District

... Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents 2 and 3 herein to forthwith send proposal to get ratification of the Government for regularizing the services of the petitioner herein vide the proceedings of the third respondent herein in his Na.Ka.No.44430/96/PA-4 dated 29.12.1997 and direct the first respondent herein to ratify the regularization of the services of the petitioner herein in the post of Watchman and consequently direct the respondents herein to sanction regular pension and other retirement benefits with due interest in accordance with law.

For Petitioner : Mr.V.R.Rajasekaran

For Respondents : Mr.R.Vijayakumar
Additional Government Pleader

ORDER

This writ petition has been filed by Mr.P.A.Chandrasekaran, who was appointed as a Night Watchman on 24.7.80 in Kattankolathur Panchayat Union office. His grievance is that when the Government have issued orders in G.O.Ms.No.878, Rural Development and Local Administration Department dated 15.5.91 to regularise the services of contingent employees of Panchayat Unions who have put in more than ten years of service without break as on 1.4.81 and pay them the time scale of pay, although his services were regularised by the third respondent with effect from 24.7.90 by order dated 29.12.97, his regularisation has not been ratified by the Government, as a result, the petitioner's pension proposals have been returned for want of ratification. Therefore, he has come to this Court.

2. Mr.R.Vijayakumar, learned Additional Government Pleader takes notice on behalf of the respondents.

3. The proceeding dated 29.12.97 issued by the District Collector, Kancheepuram clearly shows that the services of the petitioner have been regularised with effect from 24.7.90 in the post of Night Watchman. Therefore, it is not known why the said order of regularisation has not been till date ratified. Considering the fact that the petitioner had already retired from service on reaching the age of superannuation on 31.5.2015, this Court hereby directs the second and third respondents to send the proposal as to the ratification of regularisation of the petitioner in the post of Night Watchman, pursuant to the proceedings dated 29.12.97 issued by the third respondent, to the first respondent forthwith and on receipt of the same, the first respondent is further directed to pass orders on the same within a period of six weeks from the date of receipt of a copy of this order, for the purposes of pension and other retirement benefits. The writ petition is disposed of accordingly. Consequently, W.M.P.No.6481 of 2016 is closed. No costs.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

ss

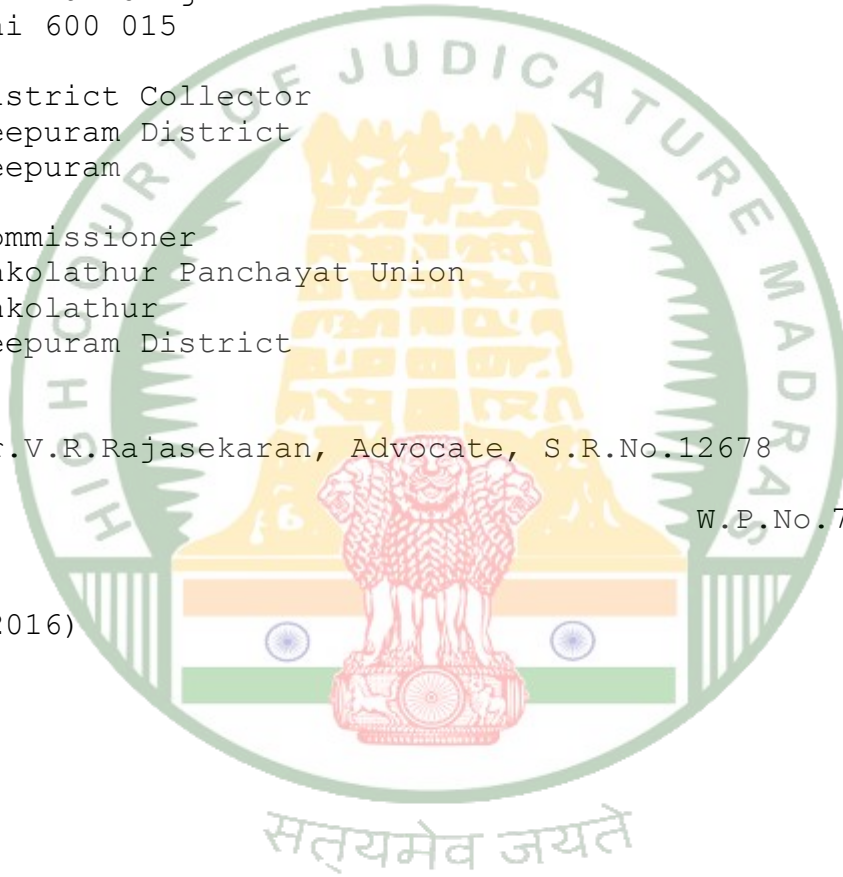
To

1. The Secretary to Government
Rural Development and Panchayat
Raj Department
Secretariat
Chennai 600 009
2. The Commissioner of Rural Development and
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3. The District Collector
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4. The Commissioner
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Kattankolathur
Kancheepuram District

+1cc to Mr.V.R.Rajasekaran, Advocate, S.R.No.12678

W.P.No.7296 of 2016

SKV(CO)
CA(16/03/2016)



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