



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.10.2016

C O R A M

THE HONOURABLE DR.JUSTICE **S.VIMALA**

Writ Petition (MD) No.18862 of 2016

R.Selvi

.. Petitioner

Vs.

1.The Secretary to Government,
Commercial Taxes and Registration Department,
Fort St.George, Chennai.

2.The Principal Commissioner & Commercial Taxes,
Commercial Tax Building,
Ezhilagam, Chepauk, Chennai.

3.The Assistant Commissioner,
Commercial Tax Department,
Virudhunagar.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to consider petitioners representation dated 30.04.2016 and extend the benefit of G.O.(2D) No.30 Commercial Taxes and Registration (A1) Department dated 21.05.15 and regularize the service of petitioner husband Ravinchandran as Office Assistant on completion of 10 years from the date of initial appointment and consequently count 50% of service rendered as casual labour before regularization for the purpose pension along with regular service and disburse the family pension benefits.

For petitioner

... Mr.H.Arumugam

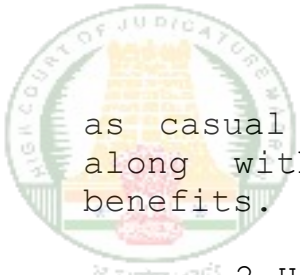
For Respondents

... Mr.R.Karthikeyan

Additional Government Pleader

O R D E R

This is a writ of Mandamus seeking direction to the respondents to extend the benefit of G.O.(2D) No.30 Commercial Taxes and Registration (A1) Department, dated 21.05.2015 and regularize the service of the petitioner's husband Ravinchandran as Office Assistant on completion of 10 years from the date of initial appointment and consequently count 50% of service rendered



as casual labour before regularization for the purpose pension along with regular service and disburse the family pension benefits.

2. Heard the learned counsel for the petitioner and the learned Special Government Pleader for the respondents.

3. The contention of the petitioner is that similarly placed employees' claim for regularisation have been considered from the date of their completion of ten years of service and it is not so in the case of the petitioner. Alleging discrimination and praying for equal treatment and equal protection, the petitioner has given a representation, dated 30.04.2016.

4. In similar circumstances, this Court has considered the case of the similarly placed employees in W.P. (MD) No. 1820 of 2016, dated 28.01.2016.

5. Under such circumstances, the respondents are directed to consider the representation of the petitioner, dated 30.04.2016, in the light of G.O. (2D) No. 30 Commercial Taxes and Registration (A1) Department, dated 21.05.2015, and to pass orders within a period of four weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (Records)

/True copy/

Sub Assistant Registrar

To

1. The Secretary to Government,
Commercial Taxes and Registration Department,
Fort St. George, Chennai.
2. The Principal Commissioner & Commercial Taxes,
Commercial Tax Building, Ezhilagam, Chepauk, Chennai.
3. The Assistant Commissioner,
Commercial Tax Department, Virudhunagar.

+1 CC to M/s. H. ARUMUGAM, Advocate, SR No. 58136
+1 CC to THE SPECIAL GOVERNMENT PLEADER, SR No. 58301

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