



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:25.10.2016

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN
and
THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.A.(MD) No.1228 of 2013
and
M.P.(MD).No.1 of 2013

The Executive Officer,
S.Kannanur Town Panchayat,
Samayapuram,
Manachanallur Taluk,
Tiruchirapalli District

... Appellant/ Review Petitioner / 4th respondent

Vs

1.K.Vadamalai ... Respondent/1st Respondent/Writ Petitioner

2.The Secretary to Government,
Department of Municipal Administration
and Water Supply (peru.1)
Government of Tamil Nadu,
Fort.St.Geroge,
Chennai-600 009.

3.The Director of Town Panchayats,
Kuralagam 4th Floor,
Chennai-600 108.

4.The Assistant Director of Town Panchayats,
Collector's Office,
Tiruchirapalli District,
Tiruchirapalli ... Respondents 2 to 4/Respondents 1 to 3
/Respondents 1 to 3

Writ Appeal is filed under Clause 15 of Letters Patent against the order dated 02.04.2013 made in W.P.(MD).No.13241 of 2009 passed by the learned Judge and the same was confirmed in the Review Application(MD).No.58/2013 order dated 11.11.2013 by another learned Judge.

Prayer in WP(MD). 13241/ 2009 : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records



relating to the impugned G.O.(Nilai)no. 242, dated 10/12/2009 issued by the first respondent and quash the same in so far as it regularizes the petitioner in the post of Sweeper in Thiruvarambur Town Panchayat and consequently directing the respondents to regularize the Writ petitioner in the psot of Watchman in S. Kannanur Weekly Market in the 4th respondent panchayat with effect from 01/1/2006 in terms of the G.O(MS).NO. 22 personnel and Administrative Reforms (F) department, dated 28/02/2006 read with G.O.(MS).no. 21 Municipal Administration and Water supply (MC3) Department, dated 23/02/2006.

Review Application(MD)No.58/2013: Review Application under Order 47 Rule 1 and 2 and Section 114 CPC., to review the Order dated 02.04.2013 made in WP(MD)No.13241/2009 on the file of the Hon'ble Court to allow the Review Petition.

For Appellant : Mr.M.Saravanakumar

For R.1 : Mr.T.Antony Arunlraj

For R.2 to 4 : Mr.R.Velmurugan
Government Advocate

JUDGMENT

[Judgment of the Court was delivered by M.SATHYANARAYANAN, J.]

Mr.M.Saravanakumar, learned Counsel appearing on behalf of the appellant/4th respondent, on instruction, would submit that the service of the first respondent as sweeper will be regularised with effect from 01.01.2006 and appropriate orders conferring the said benefits along with the consequential benefits will be passed, within a period of six weeks from the date of receipt of a copy of this order.

2. Learned Counsel appearing on behalf of the first respondent has no serious objection to the said proposal mooted out by the appellant/Local Body.

3. In the light of the same, this Writ Appeal is disposed of, directing the appellant/4th respondent to regularise the service of the first respondent as sweeper with effect from 01.01.2006 and pass appropriate orders, conferring all the consequential benefits in pursuant to the said appointment, within a period of six weeks from the date of receipt of a copy of this order and communicate the decision taken by them to the



4. With the above direction, this Writ Appeal stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/
Assistant Registrar(C.S-II)

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/TRUE COPY/

Sub Assistant Registrar

To:

- 1.The Secretary to Government,
Department of Municipal Administration
and Water Supply (peru.1)
Government of Tamil Nadu, Fort.St.Geroge, Chennai-600 009.
- 2.The Director of Town Panchayats,
Kuralagam 4th Floor, Chennai-600 108.
- 3.The Assistant Director of Town Panchayats,
Collector's Office, Tiruchirapalli District, Tiruchirapalli.

+1cc to Special Government Pleader in SR.No.63574.

+1cc to M/S.T.Antony Arul Raj, Advocate in SR.No.64059.

+1cc to M/S.M.Saravana Kumar, Advocate in SR.No.63336.

W.A(MD).No.1228 of 2013
25.10.2016

ssm
msm/sk-skn/sar1/04.11.16/p3/7c(IT)