

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Coram

Dated: 12.01.2017

The Honourable Mr. JUSTICE M.SATHYANARAYANAN

Writ Petition No.1062 of 2017

M.Sivakumar

... Petitioner

-Vs-

1. The Secretary to Government,
Animal Husbandry and Fisheries Department,
Government of Tamilnadu,
Fort St.George,
Chennai - 9.
2. The Director,
Department of Animal Husbandry
and Veterinary Services,
D.M.S. Campus,
Teynampet,
Chennai - 18.
3. The Assistant Director,
Animal Husbandry,
Tiruvannamalai District.
4. The Veterinary Officer,
Chithathur Veterinary Dispensary,
Chithathur Post, Venpakkam Taluk,
Thiruvannamalai District.
5. The Veterinary Officer,
Venkalathur Veterinary Dispensary,
Venkathathur Post, Venpakkam Taluk,
Thiruvannamalai District.

... Respondents

Writ Petition has been filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus to direct the second respondent to regularize petitioner's employment as waterman/ sweeper/ sanitary worker, based on his representation dated 02.11.2015

For Petitioner : Mr.S.Angamuthu

For Respondents : Mr.P.Sanjai Gandhi,
Additional Government Pleader.

O R D E R

By consent, the writ petition is taken up for final disposal. Mr.P.Sanjai Gandhi, learned Additional Government Pleader accepts notice on behalf of the respondents.

2. The petitioner was appointed as a Scavenger on temporary basis in the service of the 4th respondent during the year 2000 and later on, he was transferred to the service of the 5th respondent in year year 2011 and continued to render service on consolidated payment of Rs.300/- per month. The petitioner would submit that with the meagre income he is finding it extremely difficult to maintain his family and to meet the educational requirement of his son who is pursuing his Bachelor degree of Physiotherapy and his daughter who is studying in 11th standard in Government Higher Secondary School, Chithathur. According to the petitioner, he has rendered 16 years of continuous service in the department and therefore, he is entitled to be regularised in service. In this regard, he has also submitted a representation dated 02.11.2015 to the 2nd respondent praying to regularise the service. Though it was received and acknowledged, it is yet to be disposed of. Hence, he came forward to file this writ petition.

3. Heard the learned counsel for the petitioner and P.Sanjai Gandhi, learned Additional Government Pleader appearing for the respondents.

4. Though the petitioner prays for a larger relief, this Court in the light of the above facts and circumstances and without going into the merits of the claim made by the petitioner, permits the petitioner to submit one more representation to the respondent along with the copy of this order and the earlier representation dated 02.11.2015, through proper channel, within a period of two weeks from the date of receipt of a copy of this order and the 2nd respondent, on receipt of the same is directed to consider the said representation on merits and in accordance with law and pass orders within a further period of eight weeks from the date of receipt of proposal through proper channel and communicate the decision taken to the petitioner. It is also made clear that as and when the petitioner submits the representation through proper channel, the concerned official/respondent, without

causing any delay shall initiate proposal and forward the same to the 2nd respondent. The writ petition is disposed of accordingly. No costs.

s/d-
Assistant Registrar (CCC)

//True Copy//

Sub-Assistant Registrar

vsi

To

1. The Secretary to Government,
Animal Husbandry and Fisheries Department,
Government of Tamilnadu,
Fort St.George, Chennai - 9.
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Department of Animal Husbandry
and Veterinary Services,
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Thiruvannamalai District.
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Venkalathur Veterinary Dispensary,
Venkathathur Post, Venpakkam Taluk,
Thiruvannamalai District.
- +2 CC to Mr. S. Angamuthu, Advocate sr 3358
+1 CC to Govt. Pleader sr 3143

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