

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.06.2017

CORAM

THE HONOURABLE MR.JUSTICE T. RAJA

W.P.No.11440 of 2017
and
W.M.P.No.12417 of 2017

C.Narayanamoorthy

... Petitioner

Vs.

1. Government of Tamil Nadu,
Rep.by Secretary to Government,
Rural Development and Panchayat Raj Department,
Secretariat,
Chennai - 600 009.
2. The Director of Rural Development and
Panchayat Raj,
Chennai - 600 015.
3. The District Collector / Chairman,
District Kattidamaiyam,
Tiruvannamalai.
4. The Project Engineer and
Executive Secretary,
District Kattidamaiyam,
Tiruvannamalai.

... Respondents

Petition filed under Article 226 of The Constitution of India, praying for the issuance of a Writ of Mandamus to direct the respondents 1 and 2 to consider and pass orders regarding absorption of the petitioner in the department of Rural Development and Panchayat Raj, in the light of proposals submitted by the third respondent in Na.Ka.No.8799/2016/P.E.3, dated 03.11.2016.

For Petitioner .. Mr.M.Ravi

For Respondents.. Mr.K.Rajendraprasad,
Government Advocate.

ORDER

Writ Petition has been filed to direct the respondents 1 and 2 to consider and pass orders regarding absorption of the petitioner in the department of Rural Development and Panchayat Raj, in the light of proposals submitted by the third respondent in Na.Ka.No.8799/2016/P.E.3, dated 03.11.2016.

2.The petitioner having joined service on 01.06.2006 as Watchman under the Office of the fourth respondent on daily wage basis was not given the benefit of regularization of service even after completing 10 years of service, more particularly, when similarly placed non-technical employees gained absorption by virtue of G.O.Ms.No.76, Rural Development and Panchayat Raj Department dated 01.07.2016. Hence, he has given a representation on 21.07.2016 to the first respondent, on the basis of which, a proposal for absorption has also been submitted by the third respondent to the second respondent. But till date no order has been passed.

3.Mr.K.Rajendraprasad, learned Government Advocate taking notice for the respondents, sought two weeks time to consider the petitioner's representations dated 21.07.2016, 06.01.2017, 08.03.2017.

4.A perusal of the proposal dated 03.11.2016, sent by the District Collector, Tiruvannamalai District to the second respondent viz., the Director of Rural Development and Panchayat Raj, shows that a recommendation has been made for his regularisation. Therefore, this Court finds no hesitation to direct the respondents 1 & 2, to consider and pass orders on the proposal pending on their file.

5.Accordingly, the respondents 1 & 2 are directed to consider the petitioner's representations dated 21.07.2016, 06.01.2017, 08.03.2017 on merits in the light of the proposal dated 03.11.2016 sent by the District Collector, keeping in mind that the petitioner has completed 10 long years of service, and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order.

6.The Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

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To

1. The Secretary to Government,
Government of Tamil Nadu,
Rural Development and Panchayat Raj Department,
Secretariat,
Chennai - 600 009.
2. The Director of Rural Development and
Panchayat Raj,
Chennai - 600 015.
3. The District Collector / Chairman,
District Kattidamaiyam,
Tiruvannamalai.
4. The Project Engineer and
Executive Secretary,
District Kattidamaiyam,
Tiruvannamalai.

+1cc to Government Pleader sr.39566

+1cc to M/s.M.Ravi, Advocate sr.39447

sv(co)
ss(20/6/2017)

W.P.No.11440 of 2017



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