

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.02.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.3850/2017

N.Ramesh

... Petitioner

Vs

1.The District Collector
Vellore District, Vellore.

2.The Block Development Officer
Walajapet Panchayat Union
Walajapet-632513,
Vellore District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents herein to consider the representation dated 02.12.2011 and 19.01.2017 with regard to regularization of petitioner appointment to the post of Narasingapuram Panchayat Assistant, Walaja Panchayat Union, Vellore District from 02.12.2011 onwards.

For Petitioner : Mr.P.Subbaraj
For R1 : Mr.R.A.S.Senthilvel, AGP
For R2 : Mr.O.Selvam, GA

ORDER

By consent, the writ petition is taken up for final disposal. Mr.R.A.S.Senthilvel, learned Additional Government Pleader accepts notice on behalf of the 1st respondent and Mr.O.Selvam, learned Government Advocate accepts notice on behalf of the 2nd respondent.

2 The petitioner was appointed as Bill Collector/Part Time Writer on 11.01.2001 and was working in the said post for over 11 years and a vacancy arose in the post of Panchayat Assistant/Secretary in Narasingapuram Panchayat Union and as per the Resolution No.9 dated 30.11.2011 and also in terms of G.O.Ms.No.175, Rural Development and Panchayat Raj [E5]

Department dated 05.12.2006, the petitioner was appointed as Panchayat Assistant/Secretary on 02.12.2011 and it was also approved by the Panchayat Council. The petitioner was also issued with the order of appointment on 02.12.2011 and he joined duty and continue to discharge duties as Panchayat Secretary from 02.12.2011 onwards and necessary proposal has also been forwarded to the 1st respondent as to the approval of the appointment of the petitioner. In this regard, the petitioner has submitted a representation dated 19.01.2017 to the respondents 1 and 2 for regularization of his appointment to the post of Panchayat Assistant / Secretary of Narasingapuram Panchayat Union, Walajapet, Vellore District from 02.12.2011 onwards and though it was received and acknowledged, so far no orders have been passed and hence, the petitioner came forward to file the present writ petition.

3 The learned counsel for the petitioner would submit that since necessary proposal has been sent by the Local Body, there cannot be any impediment on the part of the respondents 1 and 2 to approve the regularization of the petitioner's service and therefore, prays for appropriate orders,

4 Heard Mr.R.A.S.Senthilvel, learned Additional Government Pleader appearing for the 1st respondent and Mr.O.Selvam, learned Government Advocate appearing for the 2nd respondent.

5 Though the petitioner has prayed for a larger relief this Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner, directs the 1st respondent to act on the proposal as to the regularization of the petitioner, submitted by the Narasingapuram Panchayat Union and also to consider and dispose of the petitioner's representation dated 19.01.2017 on merits and in accordance with law and pass appropriate orders within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner as well as to the Narasingapuram Panchayat Union.

6 The writ petition stands disposed of with the above direction. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

To

1.The District Collector,
Vellore District, Vellore.

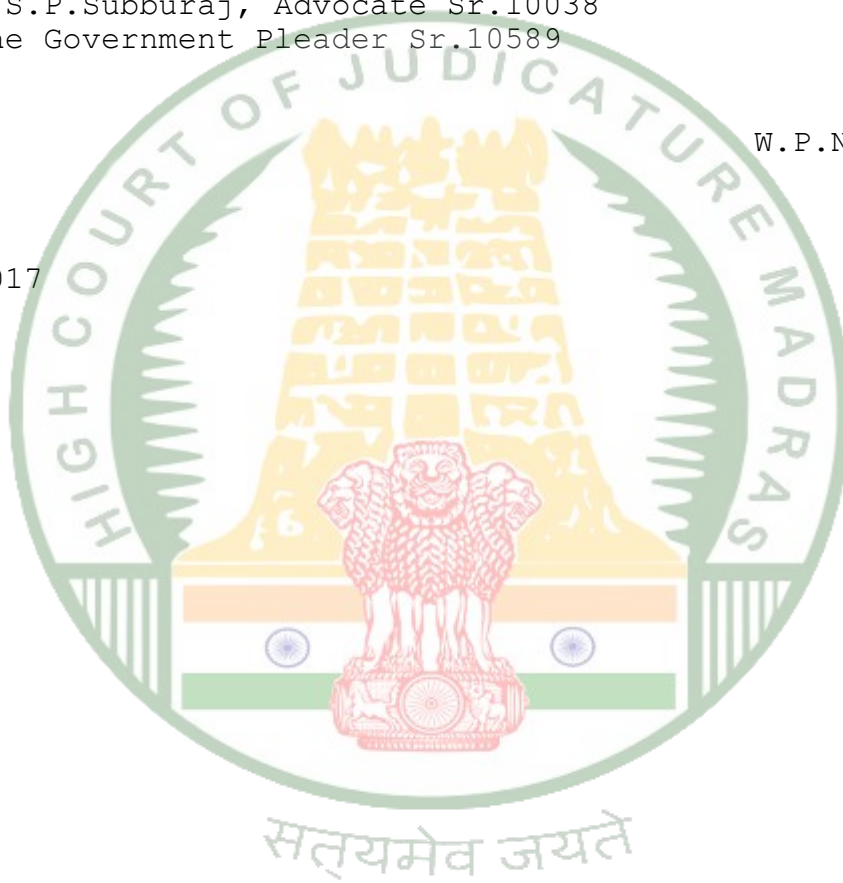
2.The Block Development Officer,
Walajapet Panchayat Union,
Walajapet-632513,
Vellore District.

+1cc to M/S.P.Subburaj, Advocate Sr.10038

+1cc to the Government Pleader Sr.10589

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