

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED:08.11.2017
CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. No.3987 of 2014 &
M.P.Nos.1 & 2 of 2014

V.Subramanian

.. Petitioner

Vs

1.State of Tamil Nadu, rep. by its
Secretary to Government,
Handlooms, Handicrafts, Textiles
and Khadi Department, Secretariat,
Chennai-600 009.

2.The Commissioner,
Sericulture Department,
Anaimadu, Salem -636 001.

3.The Assistant Director of Sericulture,
Dindigul, Dindigul District.

.. Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the order passed by the first respondent in G.O.Ms.No.20, Handlooms, Handicrafts, Textiles & Khadi Department, dated 10.02.2012 and quash the same, in so far as the denial of regularization retrospectively and the consequential benefits thereon are concerned, and direct the respondents to regularize the services of the petitioner retrospectively from 11.04.1991 and confer all the consequential benefits including promotion as Junior Inspector of Sericulture from the date on which his junior was promoted.

For Petitioner :Mr.Mr.P.Ganesan for M/s.C.S.Associates
For Respondents: Mr.K.Thanga Pandi, Government Advocate

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O R D E R

The relief sought for in this writ petition is to call for the records pertaining to the order passed by the first respondent in G.O.Ms.No.20, Handlooms, Handicrafts, Textiles & Khadi Department, dated 10.02.2012, quash the same and consequently direct the respondents to grant regularisation of service from the date of initial appointment of the writ petitioner.

2. Though the prayer sought for in this writ petition is larger in nature, the learned counsel for the writ petitioner restricts the prayer by stating that it is suffice if the direction is issued to the second respondent to consider the representation submitted by the writ petitioner dated 16.01.2014.

3. The learned counsel for the writ petitioner states that the writ petitioner is now working as regular employee and initially he was appointed as N.M.R on daily wage basis. However, the petitioner claims that the regularisation was granted with effect from the date of

passing of the order but it should not have given effect from the date of his initial appointment.

4. Thus without going into the merits of the case, the second respondent is directed to consider the representation submitted by the writ petitioner dated 16.01.2014 and pass orders on merits and in accordance with law within a period of 12 weeks from the date of receipt of a copy of this order. The writ petitioner is directed to enclose a copy of the representation dated 16.01.2014 alongwith the order passed in this writ petition.

5. Accordingly, the writ petition is disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To

1.State of Tamil Nadu, rep. by its
Secretary to Government,
Handlooms, Handicrafts, Textiles
and Khadi Department, Secretariat,
Chennai-600 009.

2.The Commissioner,
Sericulture Department,
Anaimedu, Salem -636 001.

3.The Assistant Director of Sericulture,
Dindigul, Dindigul District.

+1cc to the Government Pleader SR.No.80103
+1cc to M/s.C.S.Associates Advocate SR.No.79263

W.P. No.3987 of 2014
and
M.P.Nos.1 & 2 of 2014

GMI (CO)
sm:4.12.2017



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