

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21-11-2017

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.21489 of 2013

And

M.P.No.1 of 2013

K.Kumar

.. Petitioner

-vs-

1.The Commissioner,
Rural Development and Panchayatraj Department,
Panagal Building,
Saidapet,
Chennai-15.

2.The District Collector,
Pudukottai District,
Pudukottai.

3.The Join Director/Project Director,
District Rural Development Agency,
District Collector Office,
Pudukottai.

.. Respondents

Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to regularise the petitioner's service based on the G.O.Ms.No.772 dated 24.10.2008 based on petitioner's representation on 21.6.2012 to direct the respondents herein to regularise the petitioner's service from the date of appointment i.e., 15.12.2001 and pay arrears of salary to the petitioner and also grant the pension benefit to the petitioner.

For Petitioner - Mr.R.Singaravelan, Senior Counsel
for Mr.V.S.Jagadeesan.

For Respondents - Mr.M.Perumal,
Government Advocate.

O R D E R

The relief sought for in this writ petition is for a direction to direct the respondents to regularise the services of the writ petitioner based on the G.O.Ms.No.772 dated 24.10.2008.

2. The learned Senior Counsel, appearing on behalf of the writ petitioner, made a submission that the writ petitioner has failed the X Standard and appointed as Part-Time Driver in the Rural Health Department on 15.12.2001. However, an order of appointment was issued to the writ petitioner by the third respondent in proceedings dated 8.5.2003 and as such, the writ petitioner continued as Part-Time Driver in the third respondent-Agency. A consolidated salary of Rs.2,000/- per month was paid to the writ petitioner. The appointment was approved by the second respondent on daily wage basis.

3. However, the request of the writ petitioner for regularisation has not been considered. In this regard, the writ petitioner made several representations to the first respondent and the same have not been considered.

4. The learned Senior Counsel for the writ petitioner further states that the case of the writ petitioner has been recommended by the authorities also. However, this Court is not inclined to consider the merits of the matter at this point of time and the first respondent is directed to consider the representations submitted by the writ petitioner and pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. The writ petitioner is directed to enclose the copies of the representations along with the order passed in this writ petition.

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

Sd/-
Deputy Registrar

//True Copy// सत्यमेव जयते

Sub Assistant Registrar

To

1.The Commissioner,
Rural Development and Panchayatraj Department,
Panagal Building,
Saidapet,
Chennai-15.

2.The District Collector,
Pudukottai District,
Pudukottai.

3.The Join Director/Project Director,
District Rural Development Agency,
District Collector Office,
Pudukottai.

+1cc to M/s.V.S.Jagadeesan, Advocate SR.No.82550

WP 21489 of 2013

sm:30.11.2017



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