



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.04.2017

CORAM:

WEB COPY

**THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
AND
THE HONOURABLE MR.JUSTICE P.VELMURUGAN**

W.A. (MD) No.1436 to 1440 of 2015

and

M.P. (MD) .Nos.1,1,2,1,2,1,2,1 & 2 of 2015

1.The Secretary to Government,
Government of Tamil Nadu,
Archaeological Department,
Secretariat,
Chennai-9

2.The Commissioner,
Commissioner Office,
Archaeological Department,
Alak Salai, Egmore,
Chennai-600 008.

3.The Assistant Director,
Archaeological Department,
Thirumalai Naiker Palace,
Madurai.

... Appellants in all W.As.

Vs.

1.S.Arumugam (Watchman) .. Respondent in W.A. (MD) .No.1436 of 2015

2.P.Malaiyandi (Watchman).. Respondent in W.A. (MD) .No.1437 of 2015

3.S.Murugan (Watchman) .. Respondent in W.A. (MD) .No.1438 of 2015

4.V.Pandi (Watchman) .. Respondent in W.A. (MD) .No.1439 of 2015

5.A.Genga Dhurai (Watchman).. Respondent in W.A. (MD) No.1440 of 2015

PRAYER: Writ Appeals are filed under Clause 15 of Letters Patent against the order dated 26.07.2013 passed by this Court in W.P. (MD) .Nos.12100 to 12104 of 2013.

Prayer in WP(MD). 12100/ 2013 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the 1st respondent to pass suitable orders to regularize the petitioner s service as full time employee in the time scale of pay from the date of completion of ten years of part time service by considering the 2nd respondents recommendation in Na.Ka.NO.A1/8542/2010 dated 03.05.2013 within a period stipulated by this Honourable Court and pass such further or other orders.

Prayer in WP(MD). 12101/ 2013 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the 1st respondent to pass suitable orders to regularize the petitioner s service as full time employee in the time scale of pay from the date of completion of ten years of part time service by considering the 2nd respondents recommendation in Na.Ka.NO.A1/8542/2010 dated 03.05.2013 within a period stipulated by this Honourable Court and pass such further or other orders.

Prayer in WP(MD). 12102/ 2013 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the 1st respondent to pass suitable orders to regularize the petitioner s service as full time employee in the time scale of pay from the date of completion of ten years of part time service by considering the 2nd respondents recommendation in Na.Ka.NO.A1/8542/2010 dated 03.05.2013 within a period stipulated by this Honourable Court and pass such further or other orders.

Prayer in WP(MD). 12103/ 2013 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the 1st respondent to pass suitable orders to regularize the petitioner s service as full time employee in the time scale of pay from the date of completion of ten years of part time service by considering the 2nd respondents recommendation in Na.Ka.NO.A1/8542/2010 dated 03.05.2013 within a period stipulated by this Honourable Court and pass such further or other orders.

Prayer in WP(MD). 12104/ 2013 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the 1st respondent to pass suitable orders to regularize the petitioner s service as full time employee in the time scale of pay from the date of completion of ten years of part time service by considering the 2nd respondents recommendation in Na.Ka.NO.A1/8542/2010 dated 03.05.2013 within a period stipulated by this Honourable Court and pass such further or other orders.



For Appellants : Mr.V.Muruganantham
in all the W.As. Additional Government Pleader

For Respondents : Mr.A.Hajamohideen
in all the W.As

C O M M O N J U D G M E N T

[Judgment of the Court was delivered by **T.S.SIVAGNANAM, J.**]

These Writ Appeals by the Secretary to Government, Government of Tamil Nadu, Archaeological Department and two others are directed against the common order dated 26.07.2013, in W.P. (MD).Nos.12100 to 12104 of 2013.

2. The said writ petitions were filed by the respondents herein praying for a direction to regularise their services as full-time employee in the time scale of pay from the date of completion of ten years of part time service by considering the recommendation of the second appellant, dated 03.05.2013. The learned Judge, after considering the service particulars of the respondents/ writ petitioners and taking note of the earlier order passed in W.P.(MD).Nos. 872 and 874 of 2008, dated 04.12.2008, W.P.(MD).Nos.4091 of 2010, dated 29.03.2010 and W.P.(MD).Nos.4711 to 4717 of 2010, dated 07.12.2010 and the recommendation of the second appellant dated 03.05.2013, disposed all the Writ Petitions issuing certain directions. The fact that the second appellant has recommended the case of the respondents/writ petitioners for being considered for regularisation is not in dispute.

3. In such circumstances, there is no error in the order passed by the learned Single Judge by issuing the appropriate directions to the first appellant. Thus, the appellants have not made out any case for interference with the order passed in these writ petitions. Hence, these Writ Appeals are dismissed. No costs. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar

/True Copy/



To

1.The Secretary to Government,
Government of Tamil Nadu,
Archaeological Department,
Secretariat,
Chennai-9

2.The Commissioner,
Commissioner Office,
Archaeological Department,
Alak Salai, Egmore,
Chennai-8.

3.The Assistant Director,
Archaeological Department,
Thirumalai Naiker Palace,
Madurai.

+5cc to M/s. A.Haja Mohideen, Advocate, Sr No.54583.
+1cc to Special Government Pleader, Sr No.54655

W.A. (MD) No.1436 to 1440 of 2015
26.04.2017

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