

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.12.2018

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
and
THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.A.No.1109 of 2013
and
M.P.No.1 of 2013

1. Government of Tamil Nadu
rep. By the Secretary to Government,
School Education Department,
Secretariat, Chennai - 9.

2. The Director of Public Libraries,
Chennai - 2.

3. District Library Officer,
District Library Office,
1, Infantry Road,
Vellore District.

... Appellants/Respondents

-vs-

M.A.Margabandu

...Respondent/Petitioner

Writ Appeal filed under Clause 15 of the Letters Patent
against the order dated 14.03.2013 made in W.P.No.9188 of 2011.

PRAYER IN WP.No.9188/2011: This Writ Petition filed under
Article 226 of Constitution of India praying to regularise the
service of the petitioner from 05/02/2002 and to bring him to
regular establishment in regular time scale of pay with
consequential benefits.

For Appellants : Mr.K.Karthikeyan,
Govt. Advocate

For Respondent : Ms.Swadhi Subramaniam

JUDGMENT

[Judgment of the Court was delivered by M.M.SUNDRESH,J.]

This writ appeal is directed against the order dated 14.03.2013 made in W.P.No.9188 of 2011, whereby the learned single Judge allowed the writ petition.

2.Heard the learned Government Advocate appearing for the appellants and the learned counsel appearing for the respondent.

3.When the matter is taken up for hearing, both the counsel would submit that the issue involved is covered against the respondent, wherein the Apex Court was pleased to hold that G.O.Ms.No.22 Personnel and Administrative Reforms (F) Department dated 28.02.2006 is not applicable to the part time employees and as well as when there is no sanctioned post available. The aforesaid Government Order has also been quashed subsequently in G.O.Ms.No.74 Personnel and Administrative Reforms (F) Department dated 27.06.2013.

4.In such view of the matter, the writ appeal stands allowed. No costs. Consequently, connected miscellaneous petition is closed.

mmi

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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Vellore District.

+1cc to Mr.R.Prem Narayan, Advocate, S.R.No.84615
+1cc to The Government Pleader, S.R.No.85107

W.A.No.1109 of 2013

RJI (CO)
KAK(09/01/2019