

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.02.2018

CORAM:

THE HON'BLE MR.JUSTICE K.K.SASIDHARAN
AND
THE HON'BLE MR.JUSTICE P.VELMURUGAN

W.A.No.581 of 2015

1. The Secretary to Government of Tamilnadu
Municipal Administration and Water Supply
Department,
Fort St. George, Chennai - 600 009.
2. The Director of Town Panchayat,
Kuralagam Buildings,
Chennai-108.
3. The Executive Officer,
Bargur Selection Grade
Town Panchayat,
Krishnagiri District-635 104 ..Appellants/Respondents

Vs

1. Vijayakumar
2. Parvathi
3. P.Vadivel
4. Subramani
5. Vijaya
6. M.Ramachandran
7. K.Raja
8. K.Sakthivel
9. Muniraj
- 10.Vijayakumar
- 11.K.Sugumar
- 12.K.Shankar Ganesh

...Respondents

Prayer:- Writ Appeal filed under Clause 15 of Letter Patent Act, to set aside the order of the learned Judge made in W.P.No.15056 of 2013 dated 25/06/2013 and dismiss the Writ Petition. This Writ Petition is preferred under Article 226 of the constitution of India praying for the issue of a writ of certiorarified Mandamus to Call for the records relating to the proceedings of the 2nd respondent dated 25.07.2006 issued in Na.Ka.No. 3051/2006/A3 and the proceedings of the 3rd respondent dated 27.07.2006 issued in Na.Ka.No. 432/2006 (Tha.A) and quash the same restricting the date of bringing the Petitioners into time scale with effect from 23.06.2006 onwards alone and to issue consequential direction to the respondents to bring the Petitioners into the regular time scale from the date on which they completed three years

consolidated pay services in the light of the Judgment of Division Bench dated 23.06.2010 passed in W.A.No.385 of 2010 & 47 of 2010 with all consequential service and monetary benefits.

For Appellants : Jayaprakash Narayanan
For Respondents: Mr.G.Vinodh kumar

JUDGMENT

(Judgment of the Court was delivered by K.K.SASIDHARAN, J.)

The learned single Judge issued a mandamus directing the appellants to regularise the services of the petitioners on completion of three years from the date when they were appointed on consolidated pay into regular time scale of pay.

2. Feeling aggrieved, the appellants are before this Court.

3. The learned Government Advocate placing reliance on the Judgment of this Court in The Secretary to Government of Tamil Nadu, Municipal Administration & Water Supply Department, Fort St. George, Chennai Vs. Rani reported in 2015 3 LW 614 and the Government Order in G.O.(Ms)No.142 dated 23.09.2015 submitted that nothing survives for adjudication in the present appeal in view of the issuance of the Government Order in G.O.(Ms) No.142 dated 23.09.2015, granting benefits to the employees, on completion of three years of service.

4. The Government pursuant to the Judgment of this Court in The Secretary to Government of Tamil Nadu, Municipal Administration & Water Supply Department, Fort St. George, Chennai Vs. Rani reported in 2015 3 LW 614 considered the issue with regard to the regularization and grant of benefits to the employees who have completed three years of service on consolidated pay and issued the Government Order referred to above.

5. In view of the subsequent events, this intra court appeal is dismissed as infructuous. No costs.

Sd/-
Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

TO

1. The Secretary to Government of Tamilnadu
Municipal Administration and Water Supply
Department,
Fort St. George, Chennai - 600 009.

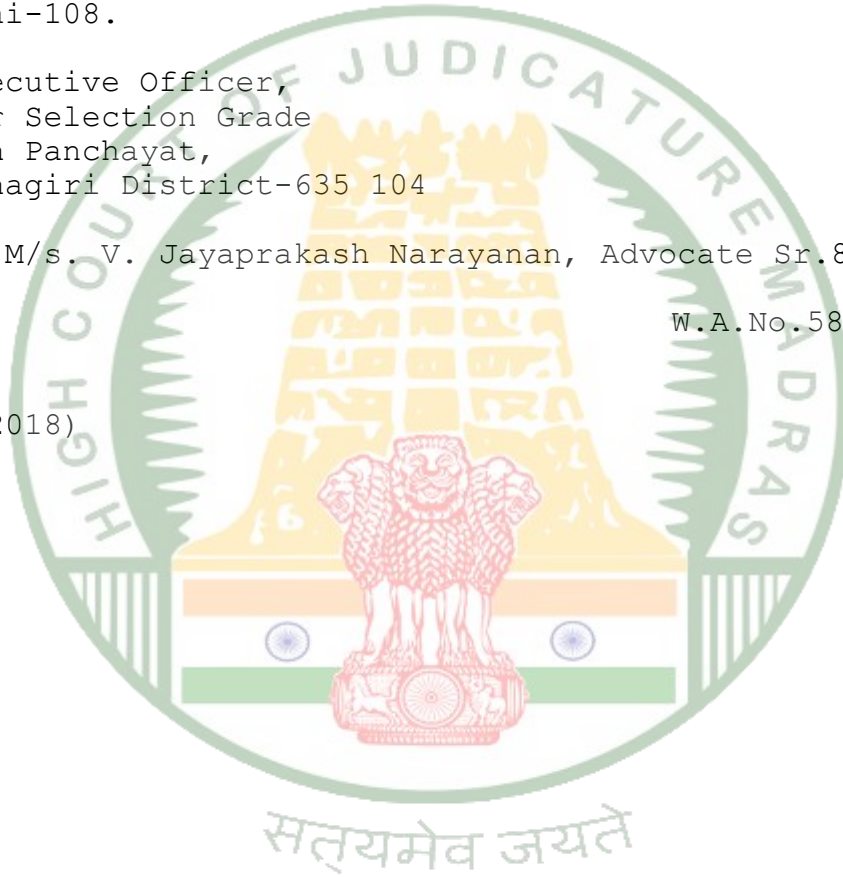
2. The Director of Town Panchayat,
Kuralagam Buildings,
Chennai-108.

3. The Executive Officer,
Bargur Selection Grade
Town Panchayat,
Krishnagiri District-635 104

+ 1 cc to M/s. V. Jayaprakash Narayanan, Advocate Sr.8836

W.A.No.581 of 2015

KJ(CO)
EU(05/03/2018)



WEB COPY