

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 10.12.2018

CORAM

THE HONOURABLE DR. JUSTICE S.VIMALA

W.P. NO. 17395 OF 2018

C.Asai Murugan

.. Petitioner

- Vs -

1. The State rep. By
The Principal Secretary
Urban Development &
Panchayat Raj, Secretariat
Fort St. George, Chennai 600 009.

2. The Director
Urban Development &
Panchayat Raj, Panagal Maligai
Saidapet, Chennai 600 015.

3. The District Collector
O/o The District Collector
Dharmapuri, Dharmapuri Dt.

4. The Commissioner/Block
Development Officer
Palacode Panchayat Union
Dharmapuri District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of mandamus directing the respondents herein to extend all consequential service benefits of regularization made w.e.f. 7.8.1996 as per G.O. (Ms.) No.267 dated 22.12.1999 by paying all the monetary benefits based on petitioner's representation dated 19.2.2018.

For Petitioner : Mr. T.Balaji

For Respondents : Mr. A.N.Thambidurai, AGP

ORDER

The petitioner's father died in harness and based on the petitioner's representation, he was appointed on compassionate grounds as Ward Boy at Karagoor Hospital, Palacode Panchayat

Union, Dharmapuri District on 8.8.1986. The petitioner completed 10 years service on 7.8.1996. Since the petitioner was continuously working, he was regularized as per the orders of the 4th respondent, which was confirmed by the proceedings of the 1st respondent in G.O. No.267 dated 1999 and G.O. (Ms.) No.161 dated 26.6.2000 w.e.f. 7.8.1996. Necessary entries have also been made in the service register.

2. Subsequent to the regularisation, the petitioner submitted representation for bringing him into the time scale of pay and to pay him the monetary benefits from the date of his regularisation. By communication dated 16.8.16, the 4th respondent has sent a proposal to the 3rd respondent informing that the petitioner's service has been regularised w.e.f. 7.8.96, the petitioner has to be brought under the time scale of pay. Further representation has also been submitted by the petitioner on 19.2.2018, but no orders have been passed on the said representation by the 3rd respondent till date. Hence, the present petition has been filed.

3. Mr.A.N.Thambidurai, learned Addl. Government Pleader takes notice for the respondents and submits that this Court may direct the respondents to consider the representation and pass orders in accordance with law.

4. In view of the limited relief sought for, this Court is of the view that it would suffice to direct the respondents to consider the representation submitted by the petitioner within a particular time frame.

5. In the above circumstances, this writ petition is disposed of directing the respondents to consider the representation dated 19.2.2018 submitted by the petitioner and pass orders thereon, within a period of eight weeks from the date of receipt of a copy of this order. However, there shall be no order as to costs.

सत्यमेव जयते

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

GLN

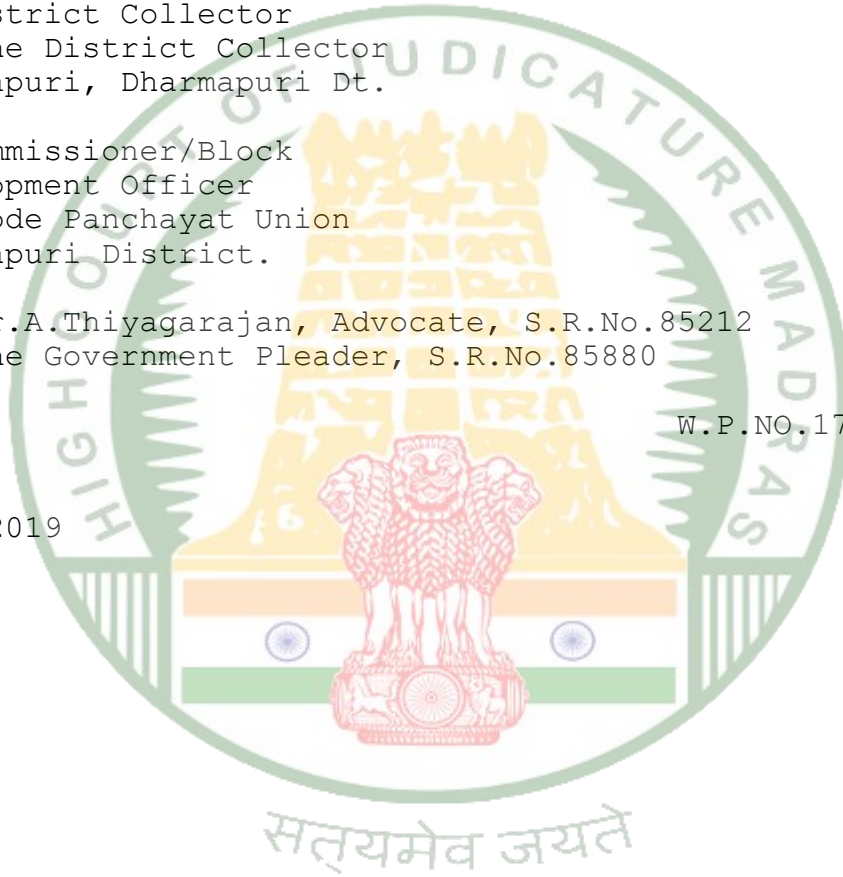
To

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Dharmapuri District.

+1cc to Mr.A.Thiyagarajan, Advocate, S.R.No.85212
+1cc to the Government Pleader, S.R.No.85880

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SSI (CO)
CS/22/01/2019



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