

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 02.08.2018

CORAM

THE HONOURABLE MR.JUSTICE SATRUGHANA PUJAHARI

W.P.No.19903 of 2018

K.Chellakannu

..Petitioner

Vs

1. The District Collector,
Thiruvallur District,
Thiruvallur
2. The Block Development Officer,
Padianallur,
Chollavaram Panchayat Union,
Chennai - 600 052
3. The Administrative Officer,
Padianallur Urachi,
Chennai - 600 052
4. The Director of Rural Development and
Panchayate Raj,
Panankal Building,
Saidapet, Chennai - 600 015
5. The Secretary to Government,
Rural Development
Rural Panchayat Raj,
Fort.St.George,
Chennai - 600 009

Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the respondent to consider the petitioner representation dated 02.03.2018 and directing the respondents to regularize the service of the petitioner was completed the 3 years of consolidated wages period and pay all the consequential service and monetary benefits to the petitioner.

For Petitioner : Mr.N.Beulah John Selvaraj

For Respondents : Mr.N.Srinivasan,
Special Government Pleader

ORDER

Mr.N.Srinivasan, learned Special Government Pleader takes notice on behalf of the respondents.

2. This writ petition has been filed by the petitioner challenging the inaction of the respondent to consider the representation of the petitioner dated 02.03.2018 made to the respondents to regularise his service from the date he completed three years of service in consolidated wage and pay all the consequential and monetary benefit.

3. According to the petitioner, though he serving with the second respondent for the last 27 years inasmuch as he was appointed to discharge his duty for the first time in 1998 and it is incumbent upon the respondents to regularise a service of a person who has rendered service for three years in a consolidated wage in a Government establishment still his service was not regularised. He in this regard, has made several representations to the respondents including the first respondent following by the last one dated 02.03.2018 but such representation has evoked no response. Hence, he has come to file the writ petition challenging such inaction of the respondents in consideration of his representation with a prayer to direct to consider his representation by regularising the service of the petitioner the day he has completed three years of service and release all the service benefits including the monetary benefit that would have accrued on such regularisation.

4. The learned counsel appearing for the petitioner submits that though he had sought for larger relief but now confines his prayer seeking a direction to the respondents more particularly to the first respondent to consider his aforesaid representation made in accordance with law in a time bound manner.

5. Learned Special Government Pleader appearing for the respondents submits that if such representation is pending the first respondent shall consider the same in accordance with law within a reasonable period but this Court should not put any fetter on merit of such representation inasmuch as this Court has not heard on merit of such representation in any manner.

6. Considered the submissions made by the parties especially the nature of relief sought for. On consideration of the same, this Court disposes of this writ petition with the direction to the first respondent to take an informed and considered decision on the representation of the petitioner stated to have been made on 02.03.2018 in accordance with law within a period of six weeks from the date of receipt of a copy

of this Order if there is no other legal impediment and communicate such decision to the petitioner immediately thereafter. However, it is made clear that this Court has expressed no opinion on merit of such representation in any manner.

7. With the aforesaid order, the writ petition stands disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

lok

To

1. The District Collector,
Thiruvallur District,
Thiruvallur
2. The Block Development Officer,
Padianallur,
Chollavaram Panchayat Union,
Chennai - 600 052
3. The Administrative Officer,
Padianallur Urachi,
Chennai - 600 052
4. The Director of Rural Development and
Panchayate Raj,
Panankal Building,
Saidapet,
Chennai - 600 015
5. The Secretary to Government,
Rural Development
Rural Panchayat Raj,
Fort.St.George,
Chennai - 600 009

+1cc to Mr.N.Beulah John Selvaraj, Advocate, S.R.No. 53124

W.P.No.19903 of 2018

AD(CO)
GN(07/09/2018)