

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 09.08.2018
CORAM
THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
W.P.No.2835 of 2016
and
W.M.P.No.1505 of 2017

M.Perumal

..Petitioner

vs

- 1.State of Tamil Nadu, rep.by its
Secretary to Government,
Rural Development & Panchayat Raj Department,
Secretariat, Chennai - 600 009.
- 2.District Collector,
Dharmapuri District,
Dharmapuri.
- 3.Director of Elementary Education,
Chennai - 600 006.
- 4.District Elementary Educational Officer,
Dharmapuri, Dharmapuri District.
- 5.Assistant Elementary Educational Officer,
Dharmapuri, Dharmapuri District.
- 6.Block Development Officer/Commissioner,
Dharmapuri Panchayat Union,
Dharmapuri, Dharmapuri District.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the Respondents 2 and 6 to regularize the services of the petitioner from 14.08.1981 as Night Watchman and confer all the consequential benefits including annual increment, revision of scale of pay as per the recommendation of the Pay Commissions.

For Petitioner : Mr.P.Ganesan

For M/s.C.S.Associates

For Respondents: Mrs.A.Srijayanthi, Spl GP for R1 to R5
Mr.S.Gunasekaran for R6

O R D E R

The grievance of the writ petitioner is that though he was appointed as Night Watchman in proceedings dated 14.08.1981 by the 6th respondent, his services are not regularized.

2.The learned counsel appearing on behalf of the writ petitioner made a submission that the 2nd respondent/District Collector has to grant approval in respect of the regularization of services to the writ petitioner. However, the District Collector has not considered the case of the writ petitioner for grant of approval. This apart, the District Collector has not filed counter statement in the present writ petition.

3.This being the factum of the case, all the facts and circumstances are to be considered by the District Collector and an appropriate decision is to be taken on merits and in accordance with law. Thus, the writ petitioner is permitted to submit a detailed representation along with all the relevant documents to the 2nd respondent/District Collector within a period of three weeks from the date of receipt of a copy of this order. On receipt of any such representation along with the documents, the 2nd respondent/The District Collector is directed to consider the same on merits and in accordance with law and pass orders within a period of twelve weeks thereafter.

4.Accordingly, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

kak

Sd/-
Assistant Registrar(CS IV)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

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To

1.Secretary to Government,
State of Tamil Nadu,
Rural Development & Panchayat Raj Department,
Secretariat, Chennai - 600 009.

2.District Collector,
Dharmapuri District,
Dharmapuri.

3.Director of Elementary Education,
Chennai - 600 006.

4.District Elementary Educational Officer,
Dharmapuri, Dharmapuri District.

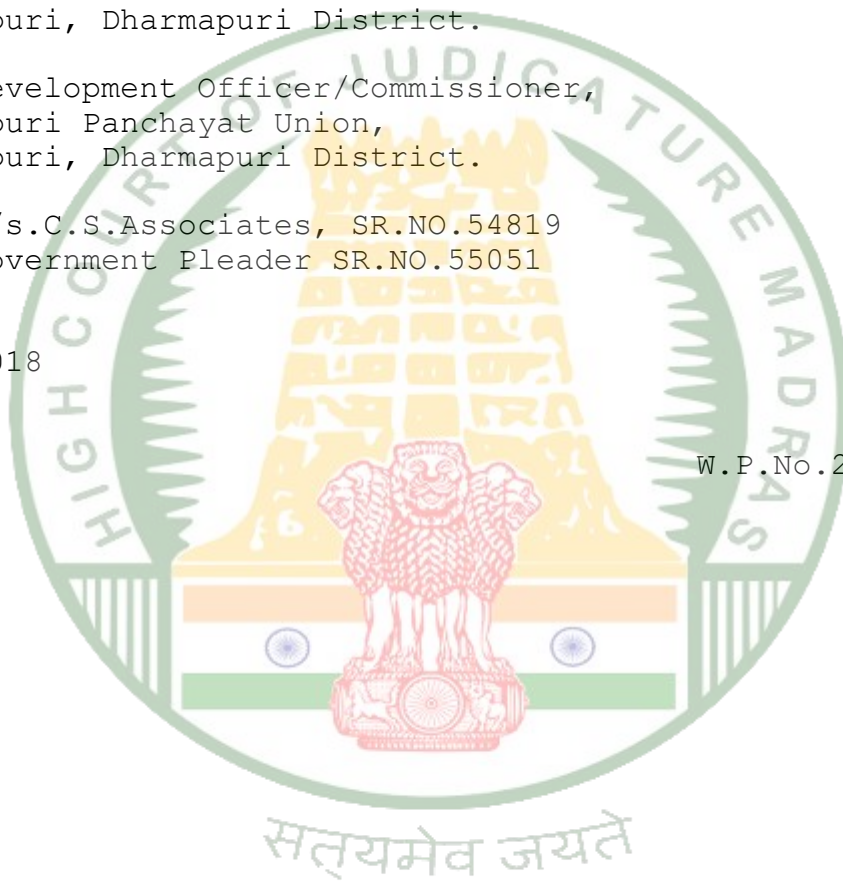
5.Assistant Elementary Educational Officer,
Dharmapuri, Dharmapuri District.

6.Block Development Officer/Commissioner,
Dharmapuri Panchayat Union,
Dharmapuri, Dharmapuri District.

+1cc to M/s.C.S.Associates, SR.NO.54819
+1cc to Government Pleader SR.NO.55051

BR(CO)
sm:28.8.2018

W.P.No.2835 of 2016



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