

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.07.2018

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

Writ Petition No.1894 of 2010

K.Sivabackiyam

... Petitioner

Vs.

- 1.State of Tamil Nadu
rep. by Secretary,
Home Department, Fort St. George,
Chennai.
- 2.Inspector General of Prisons,
C.M.D.A. Tower II,
No.1, Gandhi Irwin Road, Chennai - 8.
- 3.The Superintendent,
Special Prison for Women,
Salem.

... Respondents

Writ petition have been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents to regularise the services of the petitioner and further direct the respondents to pay the minimum Salary from 2.9.1993 to 22.2.2006 to the petitioner herein as per G.O. Ms. No. 719 Home (Pri.2) Department dated 26.8.2009 passed by the 1st respondent herein.

For Petitioner : Mr.K.Vasudevan

For Respondents : Mr.J.Ramesh (for RR1 to 3)
Additional Government Pleader.

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O R D E R

The petitioner has filed this Writ Petition seeking issuance of Mandamus directing the respondents to regularize her services and to pay the minimum salary from 02.09.1993 to 22.02.2006.

2.When the matter was taken up for consideration, the learned Additional Government Pleader appearing for the respondents drew the attention of this Court to paragraph 8 of

the Additional Counter affidavit filed by the respondents, wherein, it has been averred as follows:

"8.It is submitted that on humanitarian ground, the request of the petitioner was considered in the light of the order passed in G.O.Ms.No.187, Home, dated 14.3.2011 and alongwith others, she was appointed as Grade II Warder (Female) in G.O.Ms.No.289, Home, dated 3.4.2014 by relaxing rules 2(e), 4(a) and 6 of Tamil Nadu Jail Subordinate Service Rules, in compliance of orders dated 30.06.2011 of the Hon'ble High Court of Madras in batch of W.Ps.No.15377 to 15398 of 2011."

3.In view of the aforesaid submission and the averments made in the additional counter affidavit, this Court is of the opinion that it is unnecessary to pursue this writ petition any further. Hence, recording the same, the Writ Petition stands closed. No costs.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

rm/drl

To

- 1.The Secretary to Government,
Home Department, Fort St. George,
Chennai.
- 2.Inspector General of Prisons,
C.M.D.A. Towar II,
No.1, Gandhi Irwin Road, Chennai - 8.
- 3.The Superintendent,
Special Prison for Women,
Salem.

+1cc to Mr.J.Ramesh, Advocate sr.no.43034
+1cc to Government Pleader sr.no.44009

W.P.No.1894 of 2010

pvs (co)
nr 13/08/2018