



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.09.2018

WEB COPY

CORAM:

**THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
AND
THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR**

W.A. [MD].No.658 of 2014
and
M.P. (MD).No.1 of 2014

1. The Secretary to Government,
Rural Development Department,
Fort.St.George, Chepauk, Chennai.
2. The District Collector,
Nagercoil, Kanyakumari District.
3. The Block Development Officer
cum Commissioner, Munchirai Panchayat Union,
Kanyakumari District. : Appellants/Respondents 1 to 3

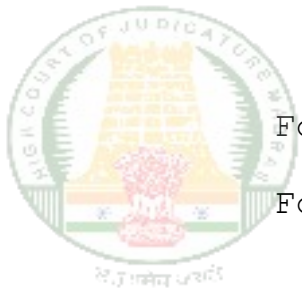
Vs.

1. C.Srinivasan : 1st Respondent/Petitioner
2. The President,
Vilathurai Village Panchayat,
Kappukadu Post,
Kanyakumari District. : 2nd Respondent/4th Respondent

PRAYER: Writ Appeal is filed under Clause 15 of the Letters Patent against the order dated 20.01.2014 made in W.P.(MD).No.2705 of 2010, on the file of this Court.

Prayer in WP(MD). 2705/ 2010 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a WRIT OF CERTIORARIFIED MANDAMUS, by call for the records relating to the impugned order passed by 1st Respondent vide letter No.17964/E5/09-4, dated 10-12-2009 and quash the same and may consequently direct the respondents to regularize the service of petitioner from the date of his appointment and to pay the regular pay scale instead of the consolidated payment in consonance with



For Appellant : Mr.N.Shanmugaselvam
Additional Government Pleader
For Respondent No.1 : Mr.K.P.Narayanakumar

JUDGMENT***********[Judgment of the Court was delivered by M.M.SUNDRESH, J.]**

The only ground raised in this Writ Appeal is on the applicability of the Government Order issued in G.O.Ms.No.151, Social Welfare and Nutritious Meal Scheme Department, dated 16.10.2008.

2. The learned Additional Government Pleader appearing for the appellants would submit that the said Government Order is applicable to such of those employees, who are working on a consolidated pay for a period of two years and more, apart from being differently abled persons.

3. We have perused the relevant Government Order passed in G.O.Ms.No.151, Social Welfare and Nutritious Meal Scheme Department, dated 16.10.2008, which is meant for giving benefit to the differently abled persons working for more than two years on consolidated pay. Therefore, there is no room for giving interpretation of the said Government Order, which is very clear.

4. In such view of the matter, the Writ Appeal stands dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar (CS-I)

To

1. The Secretary to Government,
Rural Development Department,
Fort.St.George, Chempauk, Chennai.
2. The District Collector,
Nagercoil, Kanyakumari District.
3. The Block Development Officer
cum Commissioner, Munchirai Panchayat Union,
Kanyakumari District.

+ 1 CC TO Mr.K.P.NARAYANAKUMAR, ADVOCATE IN SR No. 84969

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 85648

NB

TE/SV/SAR-1 : 03/10/2018 : 2P/6C

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JUDGMENT MADE IN

W.A.[MD].No.658 of 2014

18.09.2018