

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.02.2019

CORAM

THE HONOURABLE MR. JUSTICE T.RAJA

W.P.No.29198 of 2008 and
M.P.No.1 of 2008

R.Paramasivam

...Petitioner

Versus

1. The Secretary,
Backward Classes, Most Backward Classes and
Minorities Welfare Department,
Fort St. George,
Secretariat, Chennai-9.
 2. The Director,
The Directorate of Backward Classes Welfare,
Chepauk, Chennai-5.
- ... Respondents

Prayer: The Writ Petition has been filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to pass an order to regularise the service of the petitioner with effect from the date of his appointment and to pay him the regular scale of pay on par with the regular employee with all consequential monetary and other benefits from the date of regularisation taking into consideration of petitioner's continuous and meritorious service of 18 years, in view of the order made in W.P.No.27683/2006 dated 15.11.2006 by the High Court, Madras.

For Petitioner : Mr.A.Nagarathinam

For Respondents : Mr.K.Ravi Kumar, AGP

O R D E R

The Writ Petition has been filed to issue a Writ of Mandamus, directing the respondents to pass an order to regularise the service of the petitioner with effect from the date of his appointment and to pay him the regular scale of pay on par with the regular employee with all consequential monetary and other benefits from the date of his regularisation taking into consideration of his continuous and meritorious service of 18 years, in view of the order made in W.P.No.27683/2006 dated 15.11.2006 by this Court.

2. When the matter is called, the learned Counsel for the petitioner fairly submitted that during the pendency of the writ petition seeking regularisation, the petitioner was ousted from service for which he has filed a separate writ petition.

3. Since the petitioner was ousted from service, the question of granting regularisation of his service does not arise. Therefore, the Writ Petition fails and the same is accordingly dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar (CS-IV)

//True copy//

Sub Assistant Registrar

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To

1. The Secretary,
Backward Classes, Most Backward Classes and
Minorities Welfare Department,
Fort St. George,
Secretariat, Chennai-9.
2. The Director,
The Directorate of Backward Classes Welfare,
Chepauk, Chennai-5.

+1cc to Mr.A.Nagarathinam, Advocate SR.No.12279

W.P.No.29198/2008

SV (CO)
GMY (06/03/2019)

सत्यमेव जयते

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