

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 08.11.2019

CORAM :

THE HONOURABLE MR.JUSTICE SUBRAMONIUM PRASAD

W.P.No.9583/2013

R.Ramesh

... Petitioner

Vs

- 1.The Secretary to Government,
Municipal Administration and
Water Supply Department,
Fort St.George, Chennai - 9.
 - 2.The Director of Special Town Panchayat,
Kularalagam, Chennai 108.
 - 3.The Executive Officer,
Thiruneermalai Town Panchayat,
Kancheepuram District.
- ... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the 3rd Respondent in his Pro.Na.Ka.No.160/2006 A1 dated 31.7.2006 and quash the same in so far as the petitioner is concerned and in respect of persons issuing under the category mentioned in Para 3(ii) of G.O.Ms.No.84 Municipal Administration and Water Supply Department dated 21.5.1998 by bringing him into regular time scale of pay from the date of completion of the one year of service in the consolidated pay service (i.e.23.12.1999) in the light of G.O.Ms.No.199 Municipal Administration and Water Supply Department dated 12.8.1997 as amended in G.O.Ms.No.84 Municipal Administration and Water Supply Department dated 21.5.1998 and in the light of orders of this Hon'ble High Court passed in W.P.No.25620/06 dated 17.9.2008 and upheld by the Hon'ble Judgement of Division Bench in W.A.No.47/2010 dated 23.6.2010 in respect of persons issuing under the category mentioned in Para 3(iv) of G.O.Ms.No.84 Municipal Administration and Water Supply Department dated 21.5.1998 with all consequential service and monetary benefits.

For Petitioner : Mr.A.Baskaran

For Respondents: Mr.A.Zakir Hussain,
Government Advocate

O R D E R

The instant writ petition is one for a writ of Certiorarified Mandamus, calling for the records relating to the 3rd Respondent in his Pro.Na.Ka.No.160/2006 A1 dated 31.7.2006 and quash the same in so far as the petitioner is concerned and in respect of persons issuing under the category mentioned in Para 3(ii) of G.O.Ms.No.84 Municipal Administration and Water Supply Department dated 21.5.1998 by bringing him into regular time scale of pay from the date of completion of the one year of service in the consolidated pay service (i.e.23.12.1999) in the light of G.O.Ms.No.199 Municipal Administration and Water Supply Department dated 12.8.1997 as amended in G.O.Ms.No.84 Municipal Administration and Water Supply Department dated 21.5.1998 and in the light of orders of this Hon'ble High Court passed in W.P.No.25620/06 dated 17.9.2008 and upheld by the Hon'ble Judgement of Division Bench in W.A.No.47/2010 dated 23.6.2010 in respect of persons issuing under the category mentioned in Para 3(iv) of G.O.Ms.No.84 Municipal Administration and Water Supply Department dated 21.5.1998 with all consequential service and monetary benefits.

2.Both the learned counsel for the petitioner and the respondents agree that this matter is squarely covered by an Order dated 12.04.2019 in W.P.No.9129 of 2013, wherein this Court in identical circumstances has directed that the regularization must take place after successful completion one year of service, by placing the petitioner on regular time scale of pay.

3.This instant writ petition is also allowed on the same terms. The respondents are directed to calculate the arrears by taking into account the services book of the petitioner and pay the arrears of pay within 16 weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

To

1.The Secretary to Government,
Municipal Administration and
Water Supply Department,
Fort St.George, Chennai - 9.

2.The Director of Special Town Panchayat,
Kularalagam, Chennai 108.

3.The Executive Officer,
Thiruneermalai Town Panchayat,
Kancheepuram District.

+lcc to the Government Pleader sr.93384

W.P.No.9583/2013

srg 26/11/2019



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