

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.09.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.27626 of 2019
and
W.M.P.No.27145 of 2019

T.Rangaraj

... Petitioner

Vs.

1.The Chief Secretary
Government of Tamil Nadu
Secretariat
Fort St. George
Chennai 600 009

2.The Secretary
Planning Development and Special
Initiatives Department
Secretariat
Chennai 600 009

3.The Project Director
Hill Area Development Programme
Udhagamandalam

4.The District Collector
Nilgiris
Udhagamandalam

5.The Commissioner
Director of Rural Development and Panchayat
Building, Saidapet
Chennai 600 015

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the 3rd respondent to regularise the petitioner in the post of Office Assistant - cum- Driver by considering 4th respondent letter No.D2-9696/2012 dated 06.11.2012.

For Petitioner : Mr.J.Milton Arul Rajendran

For Respondents : Mrs.A.Sri Jayanthi, AGP

O R D E R

Mrs.A.Sri Jaynthy, learned Additional Government Pleader accepts notice on behalf of the respondents. By consent of both sides, the writ petition is taken up for final disposal at the admission stage itself.

2.The learned Counsel appearing for the petitioner would submit that the petitioner was appointed by the DRDA on 09.10.1996 to 2002 and working under the 3rd respondent on daily wages basis. The nature of work of the petitioner was changed to night watchman by the 3rd respondent i.e. Project Director, HADP, from 23.05.2002 to 24.12.2006 under consolidated pay of Rs.1,500/- per month as per G.O.Ms.No.86 P & D (TC-II) Department dated 16.06.1996. The learned counsel would further submit that the petitioner was again reappointed by the 3rd respondent on 25.12.2006 and a consolidated pay was fixed at Rs.2,750/- per month as per G.O.Ms.No.143 P & D (TC-11) Department dated 28.10.2001 and the petitioner has been working without interval since 19.10.1996 to till date. Hence, the 4th respondent made a proposal to the 5th respondent to regularise the employment of the petitioner vide letter No.D29696/2012 dated 06.11.2012, but the same was not considered by the 3rd respondent till date.

3.The learned counsel for the petitioner would further submit that it would suffice if a direction is issued to the 3rd respondent to comply with the order of the 4th respondent Letter No.D29696/2012 dated 06.11.2012, within a reasonable time fixed by this Court.

4.The learned Additional Government Pleader would accede to the submission made by the learned counsel for the petitioner and submitted that the same will be considered on merits and in accordance with law.

5.Thus, without going into the merits of the case, this Court is inclined to direct the 3rd respondent to consider the proposal sent by the District Collector in his letter No.D29696/2012 dated 06.11.2012 and pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of copy of this order.

6.With the above directions, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Insp Cell)

//True Copy//

Sub Assistant Registrar

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To

1.The Chief Secretary
Government of Tamil Nadu
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Fort St. George
Chennai 600 009

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Planning Development and Special
Initiatives Department
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3.The Project Director
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5.The Commissioner
Director of Rural Development and Panchayat
Building, Saidapet
Chennai 600 015

+2cc to Mr.J.Milton Arul Rajendran, Advocate, S.R.No. 80497

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and

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PVS (CO)
GN(18/10/2019)

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