

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :14.11.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.32048 of 2019

1 N.SivaKumar

...Petitioner

Vs

1 The Secretary to Government,
Finance (Co-Operative Audit) Department,
Fort St. George, Chennai - 600009.

2 The Principal Secretary/ Commissioner,
Government Data Centre,
Chennai -25.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue appropriate Writs, Orders or Directions and in particular issue a Writ in the nature of MANDAMUS, Directing the Respondents to regularize the petitioners service with all monetary benefits which was rendered by the petitioner from 06.01.2017 to 27.07.2018.

For Petitioners : Mr.S.Illamvaludhi

For Respondents : M.Lalitha,
Government Advocate

O R D E R

- 1.The petitioner has filed this writ petition seeking issuance of a Writ of Mandamus, to direct the Respondents to regularize the petitioners service with all monetary benefits which was rendered by the petitioner from 06.01.2017 to 27.07.2018.
- 2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.
3. According to the petitioner has joined as Punch Operator in the second respondent office on 20.06.1997, subsequently he has been promoted to the post of Assistant Programmer on 13.05.2006 and again he has been promoted to the post of Programmer on 12.07.2011. He is fully eligible to be promoted to the post of Deputy Director as on 12.07.2016 but he joined on 31.07.2018. The case of the petitioners is that one V.M.Prabakaran, who was working as Deputy Director was relieved on 05.1.2017, again transferred to School Education Department by absorption.

Thereafter the petitioner was promoted to act as Deputy Director in charge with effect from 06.01.2017 on temporary basis. However, later vide G.O.Ms.No.256 Finance (Co-Operative Audit) Department on 27.07.2018 the petitioner has been promoted to the post of Deputy Director permanently. It appears that the petitioner made a representation on 06.07.2019 to the first respondent praying to regularize his service with all monetary benefits, which he rendered as Deputy Director during the period from 06.01.2017 to 27.07.2018, since no action is forthcoming from the respondents, the petitioner is before this Court.

- 4.The learned Special Government Pleaders appearing for the respondents while conceding the claim of the petitioners, would submit that if any direction is given to the respondents, the same would be complied with forthwith in accordance with law.
- 5.Considering the facts and circumstances of the case and the submissions made on either side, this Court directs the respondents to consider the representations dated 12.06.2019 and 06.07.2019 and pass appropriate order therein, in accordance with law within a period of twelve weeks from the date of receipt of copy of this order.
- 6.The writ petition is accordingly disposed of. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

- 1 The Secretary to Government,
Finance (Co-Operative Audit) Department,
Fort St. George, Chennai - 600009.
- 2 The Principal Secretary/ Commissioner,
Government Data Centre,
Chennai -25.

+1cc to Mr.Ilamvaludhi, Advocate in SR.NO..94406
+2cc to the Government Pleader in SR.NO..95081 & 95593

W.P.No.32048 of 2019

MG (CO)
RV (21/10/2020)