

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 24.01.2019

CORAM
THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.15571 of 2017
and
W.M.P.No.16877 of 2017

A.Annadurai

...Petitioner

Vs

1.The Principal Secretary to
Government of Tamil Nadu,
Revenue Department,
Secretariat,
Chennai - 600 009.

2.The Additional Chief Secretary &
Commissioner for Revenue Administration
Chepauk,
Chennai - 600 005.

3.The District Collector,
Nagapattinam.

4.The Tahsildar,
Vedaraniyam,
Nagapattinam District.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records on the file of the 1st respondent in connection with G.O.(P) No.280 Revenue (Services-8(2)) Department dated 10.06.2010 quash the same in as far as the service rendered by the petitioner from 02.02.1990 to 09.06.2010 is left out and further direct the 3rd respondent to forward the proposal dated 05.04.2017 of the 4th respondent to 1st and 2nd respondents and consequently direct the 1st respondent to pass a revised order regularizing the service of the petitioner w.e.f. 02.02.1990 and grant all consequential monetary benefits including arrears.

For Petitioner : Ms.T.Aananthi

For Respondents: Mr.D.Suriya Narayanan,
Additional Government Pleader
for R1 to R4

O R D E R

The relief sought for in this writ petition is as follows:

To issue a Writ of Certiorarified Mandamus, to call for the records on the file of the 1st respondent in connection with G.O. (P) No.280 Revenue (Services-8(2)) Department dated 10.06.2010 quash the same in as far as the service rendered by the petitioner from 02.02.1990 to 09.06.2010 is left out and further direct the 3rd respondent to forward the proposal dated 05.04.2017 of the 4th respondent to 1st and 2nd respondents and consequently direct the 1st respondent to pass a revised order regularizing the service of the petitioner w.e.f. 02.02.1990 and grant all consequential monetary benefits including arrears.

2. Though such larger relief is sought in this writ petition, the learned counsel appearing for the petitioner submitted that suffice if the 1st respondent is directed to consider the proposal submitted by the 4th respondent, Tahsildar to the 3rd respondent, District Collector dated 05.04.2017 for regularizing the service of the petitioner with effect from his date of appointment.

3. Whether the petitioner is entitled to get such relief or not is for the 1st respondent to consider and decide, since the learned counsel for the petitioner sought to rely upon a decision of this Court made in W.P.Nos.29346 of 2013 etc. dated 22.09.2017. Therefore, it is for the 1st respondent to consider the said proposal and pass order on merits and in accordance with law after giving due opportunity of personal hearing to the petitioner. It is open for the petitioner to place the materials in support of the claim before the 1st respondent, so as to enable him to pass appropriate order. Such order shall be passed by the 1st respondent, within a period of eight weeks from the date of receipt of a copy of this order. No costs. Consequently, the miscellaneous petition is closed.

सत्यमेव जयते

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

gsi/vsi

To

1.The Principal Secretary to
Government of Tamil Nadu,
Revenue Department,
Secretariat, Chennai - 600 009.

2.The Additional Chief Secretary &
Commissioner for Revenue Administration
Chepauk,
Chennai - 600 005.

3.The District Collector,
Nagapattinam.

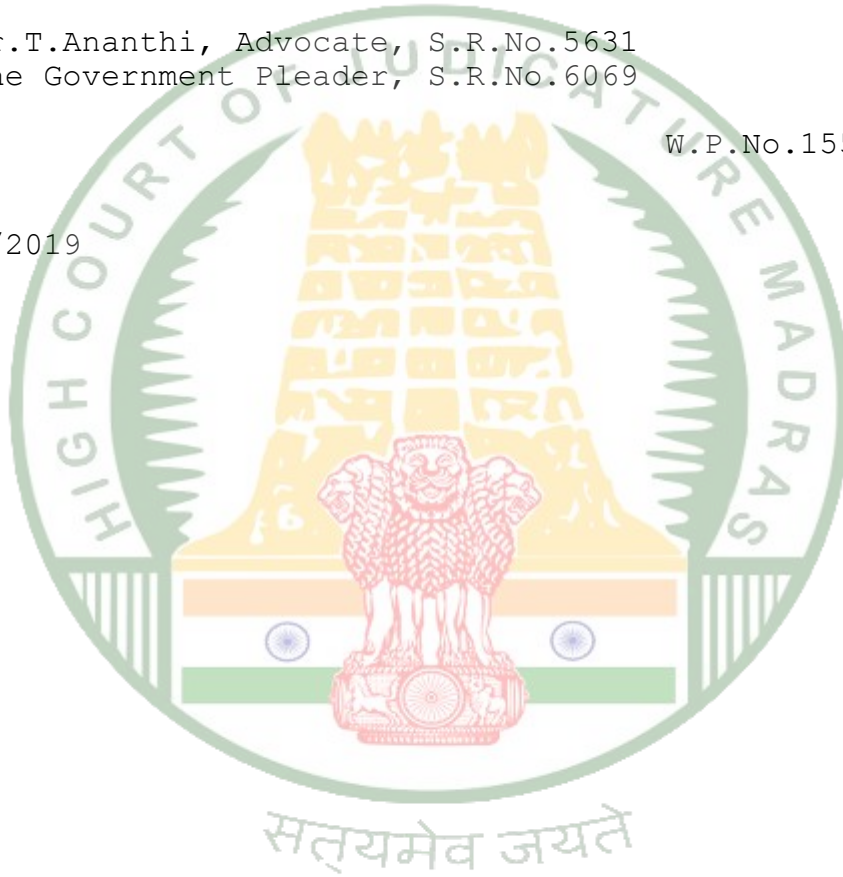
4.The Tahsildar,
Vedaraniyam,
Nagapattinam District.

+lcc to Mr.T.Ananthi, Advocate, S.R.No.5631
+lcc to the Government Pleader, S.R.No.6069

W.P.No.15571 of 2017

VSNI(CO)

rrs 14/02/2019



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