



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Wednesday, the Third day of February Two Thousand and Twenty One

PRESENT

The Hon`ble Mr.Justice M.M.SUNDRESH
and
The Hon`ble Mr.Justice N.SATHISH KUMAR

REV.APLC(MD) No.233 of 2019
in
WA(MD)No.658 of 2014

1 THE SECRETARY TO GOVERNMENT
RURAL DEVELOPMENT DEPARTMENT,
FORT ST.GEORGE,CHEPAUK,CHENNAI.

2 THE DISTRICT COLLECTOR
NAGERCOIL, KANYAKUMARI DISTRICT.

3 THE BLOCK DEVELOPMENT OFFICER CUM COMMISSIONER,
MUNCHIRAI PANCHAYAT UNION,
KANYAKUMARI DISTRICT.

... PETITIONERS/ APPELLANTS

Vs

1 C.SRINIVASAN

2 THE PRESIDENT
VILATHURAI VILLAGE PANCHAYAT,
KAPPUKADU POST, KANYAKUMARI DISTRICT. ... RESPONDENTS/ RESPONDENTS

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to Review the order dated 18.09.2018 made in W.A.(MD)No.658 of 2018 and allow this Review Application.

PRAYER in W.A.(MD)No.658 of 2018: Writ Appeal is filed under Clause 15 of the Letters Patent against the order dated 20.01.2014 made in W.P.(MD).No.2705 of 2010, on the file of this Court.

Prayer in WP(MD). 2705/ 2010 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a WRIT OF CERTIORARIFIED MANDAMUS, by call for the records relating to the impugned order passed by 1st Respondent vide letter No.17964/E5/09-4, dated 10-12-2009 and quash the same and may consequently direct the respondents to regularize the service of petitioner from the date of his



appointment and to pay the regular pay scale instead of the consolidated payment in consonance with G.O.No.151 dated 16-10-2008.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.K.CHELLAPANDIAN, Additional Advocate General assisted by Mrs.S.SRIMATHY, Special Government Pleader for the petitioners and of Mr.K.P.NARAYANAKUMAR, Advocate for the 1st Respondent, the court made the following order:-

Prima facie we find a case in favour of the review petitioner. When we passed an order, a misconception has arisen in the mind by treating the writ petitioner as that of a Government servant, which is factually incorrect.

2.In a similar matter in Rev.Aplc.NO.178/2018, placing reliance upon the order of the Apex Court, we have allowed the review.

3.The learned counsel for the respondent wants further time.

4.Admit. Interim stay.

sd/-
03/02/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE SECRETARY TO GOVERNMENT
RURAL DEVELOPMENT DEPARTMENT,
FORT ST.GEORGE,CHEPAUK,CHENNAI.

2 THE DISTRICT COLLECTOR
NAGERCOIL, KANYAKUMARI DISTRICT.

3 THE BLOCK DEVELOPMENT OFFICER CUM COMMISSIONER,
MUNCHIRAI PANCHAYAT UNION,
KANYAKUMARI DISTRICT.

+1 CC to M/s.SPL. GP (SR-695[I] dated 04/02/2021)

ORDER
IN
REV.APLC(MD) No.233 of 2019
and WA(MD)No.658 of 2014
Date :03/02/2021

RR
MS/VR/SAR-1/05.02.2021/2P.5C

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