



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.11.2020

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

Rev.Aplw.(MD)No.25 of 2019

and

WMP(MD)No.5452 of 2019

WEB COPY

Aayiram

... Petitioner/Petitioner

Vs.

1. The Director,
Information and Public Relations Department,
Government of Tamil Nadu,
Secretariat, Chennai - 9.

2. The District Collector,
Tuticorin District, Tuticorin.

3. The Information and Public Relation Officer,
Tuticorin District, Tuticorin.

... Respondents/Respondents

Prayer: Review Application filed under Order XLVII Rule 1 r/w Section 114 of C.P.C., against the order passed in W.P.(MD). No.19050 of 2015 dated 05.02.2019.

Prayer in WP(MD). 19050/ 2015 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents to regularize the service of the petitioner as watchman from the date of his initial appointment by absorbing him in any one of the existing vacancies under their control and to grant all consequential service and monetary benefits.

For Petitioner : Mr.V.Kannan

For Respondents : Mr.V.R.Shanmuganathan,
Special Government Pleader.

ORDER

The present Review Application has been filed to review the order passed in W.P.(MD).No.19050 of 2015 dated 05.02.2019.

2. Review petitioner is the writ petitioner. It is the case of the review petitioner/writ petitioner that he has been engaged as

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a Watchman in a Memorial Hall in Tuticorin and he sought to regularise his services and he sent several representations to the authorities concerned in that regard. However, no order came to be passed by them and hence, he filed W.P.(MD).No.19050 of 2015, seeking a Writ of Mandamus, directing the respondents to regularise the service of the petitioner as Watchman from the date of his initial appointment by absorbing him in any one of the existing vacancies under their control and to grant all consequential service and monetary benefits.

3. Denying the averments made in the affidavit filed in support of the writ petition, the respondents filed the counter affidavit and prayed for the dismissal of the writ petition.

4. This Court, by order dated 05.02.2019 in W.P(MD).No.19050 of 2015, passed the following order:

"3.The learned Government Advocate appearing for the respondents produced a communication in ROC.No.PA8/3666/2015, dated 31.01.2019, which reads as follows:

"With reference to your letter cited, I wish to inform that, Thiru.Aayiram, the petitioner of the WP(MD).No.19050 of 2015 will be appointed as Temporary Dengue Mazdorr in Kayathar Block area at the rate of Rs.400/- per day fixed by the District Collector for the year 2018-2019"

4. In view of the above, recording the same, the writ petition is closed. No costs. Consequently, connected miscellaneous petition is closed."

5. Aggrieved over the same, the present review application has been filed.

6. Heard the learned Counsel for the parties and perused the materials available on record, more particularly, the order sought to be reviewed herein.

7. In the instant case, the review petitioner has sought to review the order passed by this Court stating that, so far, he has not received any communication with regard to his appointment from the respondents. If that being the case, the petitioner may initiate contempt proceedings against the respondents and the present review application is not maintainable.

8. Accordingly, this review application stands dismissed. However, liberty is granted to the petitioner to take proper legal



action for non-compliance of the order dated 05.02.2019. No costs. Consequentially, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-I)

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// True Copy //

/ /2020

Sub Assistant Registrar (CS)

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Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate / litigant concerned.

To

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