WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 03.04.2019
CORAM
THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD)No.7904 of 2019

V.Murugesan ... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by its Secretary,
Backward Classes, Most Backward Classes and
Minorities Welfare Department,
Fort St. George, Chennai -9.

2.The Director,
Dircectorate of Backward Classes Welfare Department,
Ezhilagam, Chepauk,
Chennai – 5.

3.The District Backward and Minorities Welfare Officer,
O/o.The District Backward and Minorities Welfare Office,
Theni District. ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the respondents to regularize the petitioner's service by considering the representation, dated 25.06.2018 and provide regularization with time scale of pay and promotion in pursuant to G.O.Ms.No.385, Finance Department, dated 01.10.2010.

For Petitioner : M/s.Selvi George

For Respondents : Mrs.J.Padmavathy Devi,
Special Government Pleader.

ORDER

This writ petition has been filed seeking to direct the respondents to regularize the petitioner's service by considering his representation, dated 25.06.2018 and provide regularization with time scale of pay and promotion in pursuant to G.O.Ms.No.385, Finance Department, dated 01.10.2010.

2.Heard the learned counsel appearing for the petitioner and Mrs.J.Padmavathy Devi, learned Special Government Pleader, who takes notice for the respondents. By consent, the writ petition is taken up for final disposal at the stage of admission itself.

https://hcservices.ecourts.gov.in/hcservices/

3.The case of the petitioner is that he was appointed as Sanitary Worker on 10.03.2015 on consolidated basis in the

WEB COPY

Government Most Backward Welfare Boys Hostel, Theni. As per G.O.Ms.No.385, dated 01.10.2010, if the Sanitary Worker is working for more than three years, their service would be regularized. Hence, the petitioner sent a representation to the respondents on 25.06.2018 seeking to regularize his service. Since the same has not been considered so far by the respondents, the petitioner has filed the present Writ Petition.

4.The learned Special Government Pleader appearing for the respondents submitted that the representation of the petitioner would be considered on merits.

5.In such view of the matter, this Court, without going into the merits of the case, directs the respondents to consider the representation of the petitioner, dated 25.06.2018 seeking regularization of service in the light of G.O.Ms.No.385, Finance Department, dated 01.10.2010, and pass appropriate orders, on merits and in accordance with law, after affording due opportunity of hearing to the petitioner. Such an exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

6.With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar(A.S)

/TRUE COPY/

Sub Assistant Registrar(CS)

To
1.The Secretary,
Rep. by the State of Tamil Nadu,
Backward Classes, Most Backward Classes and
Minorities Welfare Department,
Fort St. George, Chennai -9.

2.The Director,
Dircectorate of Backward Classes Welfare Department,
Ezhilagam, Chepauk,
Chennai – 5.

3.The District Backward and Minorities Welfare Officer,
O/o.The District Backward and Minorities Welfare Office,
Theni District.

+1 CC to M/s.T.PON RAMKUMAR, Advocate SR-58492[F] dated 03/04/2019)
+1 CC to M/s.SPL GP (SR-59262[F] dated 05/04/2019)

https://hcservices.ecourts.gov.in/hcservices/

DS :07/09/2019 : 2P/6C: