



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN****WP(MD)No.18235 of 2015**

WEB COPY

Dr. R. Ponniselvan

... Petitioner

Vs.

1.State of Tamil Nadu,
rep. by its Secretary to Government,
Revenue Department,
Fort. St. George,
Chennai - 600 009.

2.The Commissioner,
Land Administration,
Chepauk,
Chennai - 600 005.

3.The District Collector / Chairman,
(Rajah's College),
Thiruvaiyaru,
Thanjavur District,
Thanjavur.

... Respondents

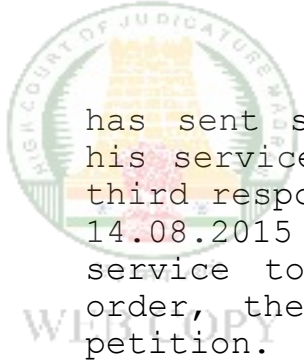
PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus calling for the records of the 3rd respondent relating to his impugned order in ந.க.எண் 937/2015/சத்.அ/நாள் 14.08.2015 and quash the same and consequently, direct the respondents to regularize the service of the petitioner and bring him under time scale of pay and also give all other service benefits to the petitioner.

For Petitioner : Mr.B. Anandan

For Respondents : Mr. V. Anand
Government Advocate

ORDER

According to the petitioner, he was appointed as contingency staff in Rajah's College, Thiruvaiyaru, by the third respondent on 15.07.1994 and he is continuously working as a Professor in the said College for the past 21 years. The said College is a Government Aided College Managed by the Chathiram Administration and the said Chathiram Administration administered by the District Collector. Based on the G.O.Ms.No.62, issued by the Employment Services Department, dated 20.03.1987, the petitioner



has sent several representations to the respondents to regularize his service and to bring him under the Time Scale of Pay. But, the third respondent has rejected the same by the impugned order, dated 14.08.2015 and refused to recommend his name for regularization of service to the first respondent. Challenging the said impugned order, the petitioner is before this Court by way of this Writ petition.

2. Heard the learned counsel appearing for the petitioner and perused the materials available on record.

3. The only ground raised by the respondent authorities is that the Raja Chathiram Administration is not under the control of Government and it is not getting grant-in-aid from the same.

4. Such submission is refuted by the learned counsel appearing for the petitioner. According to him, this Court in WP (MD).No.12308 of 2005, dated 31.04.2010, while having considered similar issue, observed that Raja Chathiram Administration has already been taken over by the District Administration and it is under the direct control of the District Collector. Further, it is observed therein that G.O.Ms.No.62, Employment Services Department, dated 20.03.1987, applies for the Chathiram Administration also. Hence, the learned counsel sought for appropriate direction to the respondents.

5. Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel for the petitioner and also in the light of the earlier order of this Court dated 31.04.2010 in WP(MD).No.12308 of 2005, impugned order passed by the third respondent, dated 14.08.2015, stands set aside and the matter is remitted back to the third respondent to pass appropriate orders, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order, after affording due opportunity of hearing to the petitioner.

6. With the above direction, the writ petition is disposed of. No costs.

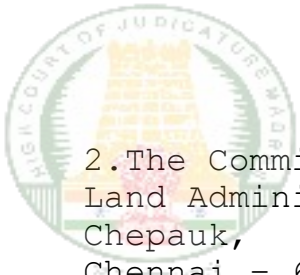
Sd/-

Assistant Registrar (AD II)

// True Copy //

Sub Assistant Registrar(CS)

To
1.The Secretary to Government,
Revenue Department,
Port. St. George,
Chennai - 600 009.



2.The Commissioner,
Land Administration,
Chepauk,
Chennai - 600 005.

3.The District Collector / Chairman,
(Rajah's College),
Thiruvaiyaru,
Thanjavur District,
Thanjavur.

+1cc to M/s.Special Government Pleader,SR.No. 60773

WP (MD) No.18235 of 2015

trp

KK/SAR/24.05.2019/ 3P- 5C