



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **28.03.2019**

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

WP(MD)No.5646 of 2017

WEB COPY

S.Patturaj

... Petitioner

Vs.

1.The Principal Secretary,
Home Department,
Fort St George,
Chennai - 600 004.

2.The Additional Director General of Police,
Armed Reserve,
Kilpauk, Chennai.

3.The Inspector General of Police,
Armed Reserve,
Trichy District,

4.The Commandant,
Tamil Nadu Special Police,
11th Battalion, Mottamalai,
Vinayagapuram, Rajapalayam,
Virudhunagar District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to regularise the service of the petitioner from the date of his appointment and grant his all other benefits that are eligible for the post as requested in his representation dated 10.12.2016.

For Petitioner : Mr.S.Chamundi Bose

For Respondents :Mr.S.Angappan,
Government Advocate

ORDER

This writ petition has been filed seeking to direct the respondents to regularise the service of the petitioner from the date of his appointment and grant all other benefits by considering his representation dated 10.12.2016.

2.According to the petitioner, having been appointed in the year 2011 under the 4th respondent, his services have not been regularised and hence, he submitted several representations to the respondents, requesting to regularise his services and grant other benefits. So far, none of those representations have seen the light of the day. Therefore, he is before this Court, praying for appropriate orders.



3. Upon notice, the respondents have filed a counter affidavit, wherein at paragraph No.5, it is stated as follows: -

"5. It is submitted that in the call letter sent to the writ petitioner in this office Letter No.C4/213/2011, dated 08.08.2011, it was clearly mentioned that the services of this post will not be regularised at any cost in future. Moreover, in the appointment order itself, it was clearly mentioned that this appointment is purely on temporary on contract basis and he has no right to claim any priority to any Government Post and he will be terminated at any time without any prior notice."

4. In response, the learned Counsel for the petitioner stoutly refuted the above said averments.

5. Under such circumstances, this Court, without going into the merits of the case directs the respondents, to consider the petitioner's representation dated 10.12.2016, on merits and in accordance with law and pass necessary orders, after affording opportunity of hearing to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (AE)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Principal Secretary,
Home Department,
Fort St George,
Chennai - 600 004.
 2. The Additional Director General of Police,
Armed Reserve,
Kilpauk, Chennai.
 3. The Inspector General of Police,
Armed Reserve,
Trichy District.
 4. The Commandant,
Tamil Nadu Special Police,
11th Battalion, Mottamalai,
Vinayagapuram, Rajapalayam,
Virudhunagar District.
- +1cc to Mr.S.Chamundi Bose, Advocate, SR.No.57547