



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:04.04.2019

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WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN**W.P(MD)No.6446 of 2017**

N.Venkatramanan

... Petitioner

vs.

1.Government of Tamilnadu,
Represented by its Secretary to Government,
Revenue Department,
Fort St. George, Chennai -9.

2.The Commissioner/Director of Survey and Settlement,
Chepauk, Chennai.

3.The Additional Director of Survey and Land Records,
Chepauk, Chennai.

4.The Assistant Director of Survey and Land Records,
Madurai - 20. Madurai District. ... Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2 and 4 respondents to regularise the service of the petitioner from the date of his initial appointment as per G.O.Ms.No.996, P and A reforms (placements) department, dated 22.09.1984 and to give notional promotion to the petitioner and to pay the monetary benefits retrospectively.

For Petitioner : Mr.P.Andiraj

For Respondents : Mr.V.Anand
Government Advocate

ORDER

This Writ Petition is filed seeking a direction to the second and fourth respondents to regularize the service of the petitioner from the date of his initial appointment as per G.O.Ms.No.996, P and A reforms (placements) department, dated 22.09.1984 and to give notional promotion to the petitioner and to pay the monetary benefits retrospectively.



2. According to the petitioner, he was appointed as Section Writer and later absorbed as Surveyor cum Draftsman on a consolidated pay, as per the proceedings of the fourth respondent, dated 28.05.1984. Thereafter, the fourth respondent appointed him as records clerk in the time scale of pay and posted to work in K.Perumalpatti Government School. Subsequently, in the year 2008, he was promoted as Junior Assistant and he retired from service on 30.06.2013.

3. It is the grievance of the petitioner that his service ought to have been regularised from the date of his initial appointment, however his service was regularised only from the year 1991. Further, he was deprived of his service and monetary benefits in respect of the period from 1983 to 1991. In the meantime, the Government has issued order in G.O.Ms.No.996, Personnel and Administrative Reforms (Placements) Department, dated 22.09.1984, with regard to absorption of Government employees. It was ordered by the Government that Assistant, Typist and Steno-typist in the Tamil Nadu Ministerial Service/Tamil Nadu Judicial Ministerial Service recruited through employment exchange and who were in service as on 25.06.1984 be regularized, with effect from 25.06.1984 in the same category and in the same department, in which they were working. Despite the same, the respondents acted in violation of the Government Order and regularized the service of the petitioner only with effect from 1991. Since the petitioner is entitled for regularization of his services from the date of his initial appointment as Junior Assistant with all consequential benefits, he has filed the present writ petition for the above stated relief.

4. The learned Counsel for the petitioner submitted that this Court in W.P.(MD)Nos.12477 and 12478 of 2007, dated 25.03.2014, has passed an order regularizing the services of the similarly placed employees with effect from 25.06.1984. Hence, he prayed for a similar order in this writ petition as well.

5. The learned Government Advocate appearing for the respondents has no objection with regard to the submission made by the learned Counsel for the petitioner.

6. It is not in dispute that the petitioner was in service as on 25.06.1984. According to G.O.Ms.No.996, dated 22.09.1984, the services of the employees, who were in service in the ministerial service, as on 25.06.1984, are to be regularized with effect from 25.06.1984. Therefore, the petitioner is entitled for regularization from 25.06.1984, which has also been agreed upon by the learned Government Advocate appearing for the respondents.

7. Hence, the respondents are directed to regularize the services of the petitioner from the date of his initial appointment, as per G.O.Ms.No.996, Personnel and Administrative Reforms (placements) Department, dated 22.09.1984 and to give notional



promotion to the petitioner and to pay the monetary benefits retrospectively, within a period of eight weeks from the date of receipt of a copy of this order.

8. The Writ Petition stands disposed of with the above direction. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Secretary to Government,
Revenue Department,
Fort St. George, Chennai -9.

2.The Commissioner/Director of Survey and Settlement,
Chepauk, Chennai.

3.The Additional Director of Survey and Land Records,
Chepauk, Chennai.

4.The Assistant Director of Survey and Land Records,
Madurai - 20. Madurai District.

+1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No.59719

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