



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.07.2019

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WEB COPY

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD) No.4365 of 2016

and

W.M.P. (MD) Nos.3890 of 2016 & 15832 of 2017

C.K.Jeyaraj

...Petitioner

Vs.

1.The Secretary to Government,
Rural and Development Department,
Secretariat, Fort St.George,
Chennai 600 009.

2.The District Collector,
Kanyakumari District,
Nagercoil.

3.The Commissioner,
Melpuram Panchayat Union,
Kanyakumari District.

4.The President,
Vanniyur Village Panchayat,
Vanniyur Panchayat,
Malaiyadi Post,
Kanyakumari District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to regularize the service of the petitioner in terms of G.O.Ms.No.151 Social Welfare (Ma) Nutritious Meals Programme (SaNa4) Department dated 16.10.2008.

For Petitioner : Mr.R.Rengaramanujam

For R1 & R2 : Mr.Aayiram.K.Selvakumar
Additional Government Pleader

For R3 : Mr.C.Selvaraj

For R4 : Mr.D.Muruganantham

**ORDER**

This Writ Petition has been filed to direct the respondents to regularize the service of the petitioner in terms of G.O.Ms.No.151 Social Welfare (Ma) Nutritious Meals Programme (SaNa4) Department dated 16.10.2008.

2.The learned counsel for the petitioner would submit that the petitioner was appointed as full time Plumber on daily wages basis under the third respondent on 21.08.1997. Without any break, he was serving in the said post for the past 20 years. Hence, the petitioner is entitled for regularization of service in terms of G.O.Ms.No.151 Social Welfare Department dated 16.10.2008 on compilation of two years, which has been implemented in all the departments, but till date, his service has not been regularized as per the above said G.O. Hence, the petitioner is before this Court for the relief as stated above.

3.The learned Additional Government Pleader appearing for the respondents has opposed the contention of the learned counsel for the petitioner and would submit that the petitioner has no legal right for seeking regularization of his service and the relief sought by the petitioner cannot be granted, if at all the respondent concerned has to considerate the same shall be done by taking note of the relevant G.Os., and the various decisions of this Court as well as the Hon'ble Supreme Court.

4.In the light of the aforesaid submission of both parties, without going into the merits of the case, this Court is inclined to pass the following order:

(a) the second respondent is directed to consider the representation of the petitioner dated 20.01.2016 and pass appropriate orders in accordance with law;

(b) it is made clear that the second respondent would consider the relevant decisions of this Court as well as the G.Os., while passing the final order for the petitioner; and

(c) it is open to the petitioner to approach the competent authority for the payment of any arrears of salary, salary and other grievance, if any.

5.With the above directions, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AD-I)

/ True Copy /



1.The Secretary to Government,
Rural and Development Department,
Secretariat,
Fort St.George,
Chennai 600 009.

2.The District Collector,
Kanyakumari District,
Nagercoil.

+1 CC to M/s.R.RENGARAMANUJAM, Advocate
(SR-73453[F] dated 04/07/2019)

W.P. (MD) No.4365 of 2016

ES/19.07.2019/3P/4C