



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.06.2019

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.(MD)No.14804 of 2013

and

W.M.P.(MD)No.3982 of 2018

P.Balasubramani

... Petitioner

Vs

1. The Principal Secretary,
Rural Development and Panchayat
Department (E5),
Secretariat,
Fort St.George,
Chennai- 600 009.

2. The Commissioner,
Rural Development and Panchayat
Department,
Chennai- 600 015.

3. The Director of Small Savings,
L.L.A., Buildings, 3rd Floor,
735, Anna Salai,
Chennai - 600 002.

4. The District Collector,
Dindigul District,
Dindigul.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned Letter in No.31602/E5/2012-3 dated 14.05.2013 of the first respondent and quash the same and consequently direct the respondents to regularize the petitioner's service as Jeep Driver in Rural Development Department with effect from 04.07.2000 with al other attendant benefits.

For Petitioner	: Mr.J.Ashok for M/s. Jeyapaul Associates
For Respondents	: Mr.C.Ramar Additional Government Pleader

ORDER

The order of rejection rejecting the claim of the writ petitioner for regularization of his service in proceedings dated 14.05.2013, is under challenge in the present writ petition. The writ petitioner was initially appointed as a Driver on temporary



basis. However, the service of the writ petitioner was not regularized and he continued as a temporary employee.

2. The learned counsel for the petitioner states that the writ petitioner passed away during the pendency of the writ petition.

3. The fact remains that the service of the writ petitioner was not regularized till his death and the benefit of regularization or permanent absorption cannot be granted in respect of the employee who is no more. Thus, the question of impleading the legal heirs of the writ petitioner also does not arise. The benefit of regularization is attached to the service of the writ petitioner concerned and if the legal heirs of the writ petitioner are having any other grievances, it is left open to them to approach the competent authorities for redressing their grievances.

4. With this observation, this writ petition is dismissed. No costs. Consequently connected miscellaneous petition is closed.

sd/
Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar(CS)

To

1. The Principal Secretary,
Rural Development and Panchayat
Department (E5),
Secretariat, Fort St. George,
Chennai- 600 009.

2. The Commissioner,
Rural Development and Panchayat
Department,
Chennai- 600 015.

3. The Director of Small Savings,
L.L.A., Buildings, 3rd Floor,
735, Anna Salai,
Chennai - 600 002.

4. The District Collector,
Dindigul District, Dindigul.

+1 CC to Mr.J.ASHOK, Advocate (SR-66962[F] dated 06/06/2019)

+1 CC to SPL GP (SR-67032[F] dated 06/06/2019)

W.P. (MD) No.14804 of 2013

and

W.M.P. (MD) No.3982 of 2018

04.06.2019