

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 19.08.2020

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P. NO.11712 of 2013

- 1.T.Siddarthan
- 2.S.K.Viswanathan
- 3.R.Jagadeesan
- 4.V.Sathya Gnana Oli
- 5.V.Mahalingam
- 6.M.Sivakumar
- 7.K.Ramalingam
- 8.K.Dhanasingu
- 9.A.Raju

... Petitioners

- Vs -

1. The Director of Agriculture,
Chepauk, Chennai -5.
2. The Joint Director of Agriculture,
Cuddalore.
3. The Assistant Director of Agriculture,
Bio Fertilizer Production Unit,
Cuddalore 607 001.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a writ of Mandamus, to direct the respondents to regularise the petitioners services from the date of the petitioner's initial appointment as indicated by this Court in W.A.Nos.2617 & 2105 of 2010.

For Petitioners : Mr.S.Ilamvaludhi

For Respondents : Mr.A.N.Thambidurai, Spl.G.P.

ORDER

The writ petition has been filed by the petitioner, to direct the respondents to regularise the petitioners service from the date of their initial appointment as indicated by this Court in W.A.Nos.2617 & 2105 of 2010.

2.The case of the petitioners is that the petitioners are all appointed as casual labourers in the 3rd respondent department in the year 1992 to 1994 on different dates and they have completed 20 years of service in the department. However their services were not regularised prompting the petitioners to file this writ petition.

3.Learned counsel appearing for the petitioners submitted that during the pendency of the petition, the service of the petitioners were regularised, though not from the date of their initial appointment. Subsequently their services were regularised fixing the date as 01.07.2013. However the petitioners have been continuously working in the said posts, except for the 1st petitioner, who has since retired from service on 31.08.2013. The retirement benefits in respect of the 1st petitioner was not disbursed by the respondent department. Hence this Court may issue a direction to the respondents to disburse the retirement benefits of the 1st petitioner within a reasonable time and to permit the other petitioners to workout their remedies in the manner known to law.

4.On the above contention, this Court heard the learned Special Government Pleader appearing for the respondents, who has no serious objections to such a direction being passed.

5. In view of the limited relief sought for, this Court without going into the merits of the issue, directs the 1st respondent to disburse the retirement benefits to the 1st petitioner, if not already disbursed, within a period of three months from the date of receipt of a copy of this order. Further, liberty is granted to the other petitioners to work out their remedy in a manner known to law.

6. With the above direction, this writ petition is disposed off. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

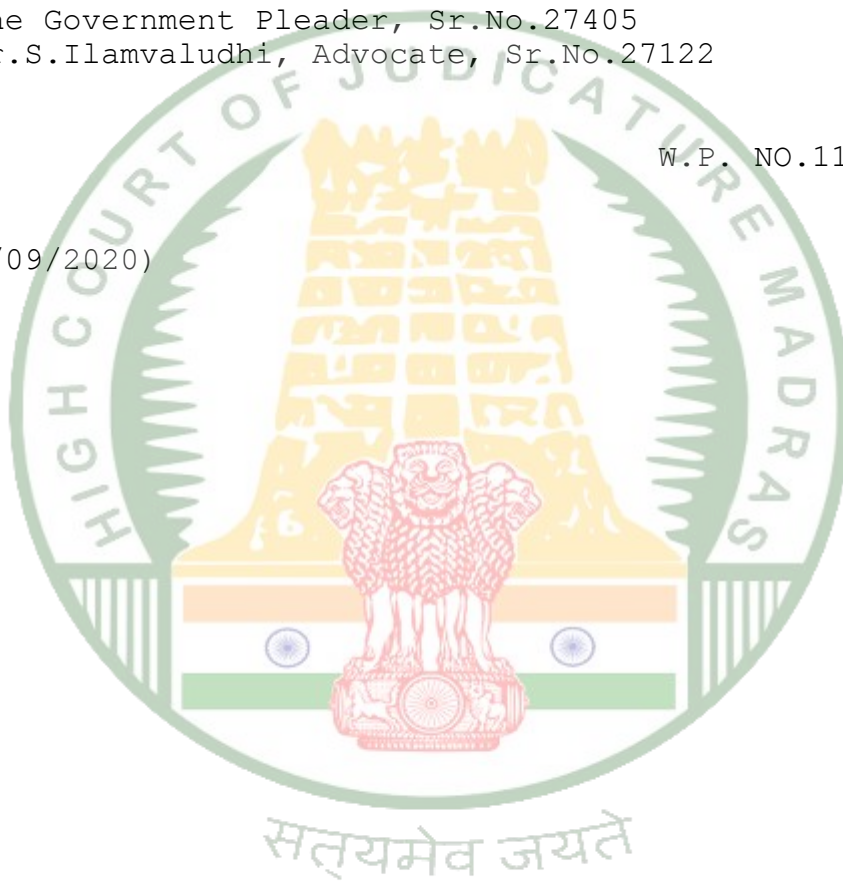
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Cuddalore.
3. The Assistant Director of Agriculture,
Bio Fertilizer Producton Unit,
Cuddalore 607 001.

+1cc to the Government Pleader, Sr.No.27405

+1cc to Mr.S.Ilamvaludhi, Advocate, Sr.No.27122

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