

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.10.2020

CORAM

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. 329 of 2007
(O.A.No.3969 of 2001)

C.K.Jeyaraj

... Petitioner

Versus

1.The Collector, Kanyakumari District, Nagercoil.

2.The Commissioner, Melpuram Panchayat Union,
Melpuram, Kanyakumari District. ... Respondent

PRAYER: Originally this petition has been filed as Original Application No.3969 of 2001 before the Tamilnadu Administrative Tribunal at Chennai and after abolition of TNAT, petition has been transferred and numbered as W.P.No.329 of 2007.

Writ petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the respondents to regularise the services of the Applicant in the post of Water Supply Assistant with effect from the date of his initial appointment, namely 21.08.1997 and to fix his pay in the Time Scale of Pay with effect from the date of his initial appointment and grant him all consequential benefits.

For Petitioner : No appearance
For Respondents : Mr.P.Chinnadurai
Additional Government Pleader

O R D E R

This Writ Petition has been filed seeking for direction to the respondents to regularise the services of the petitioner in the post of Water Supply Assistant with effect from the date of his initial appointment, namely 21.08.1997 and to fix his pay in the Time Scale of Pay with effect from the date of his initial appointment and grant him all consequential benefits

2. The learned Additional Government Pleader appearing for the respondents would submit that during the pendency of this Writ Petition, the petitioner filed yet another Writ Petition before Madurai Bench of this Court in W.P.(MD) No.4365 of 2016

seeking for the following direction which reads as follows:

"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."

3.Whereas, this Writ Petition is filed seeking for the following direction which reads as follows:

" to direct the respondents to regularise the services of the Applicant in the post of Water Supply Assistant with effect from the date of his initial appointment, namely 21.08.1997 and to fix his pay in the Time Scale of Pay with effect from the date of his initial appointment and grant him all consequential benefits."

4.It is further submitted by the learned Additional Government Pleader that the Madurai Bench of this Court has already disposed the petition filed by the petitioner in W.P. (MD) No.4365 of 2016 dated 04.07.2019. Now, the petitioner has also filed yet another Writ Petition before this Court in W.P.No.20571 of 2019 seeking for the same relief and the same is pending. Therefore, the relief sought for in this Writ Petition cannot be granted.

5.When the matter was taken up today, none appeared on behalf of the petitioner.

6.Considering the submission made by the learned Additional Government Pleader, nothing survives for further adjudication in this Writ Petition. Accordingly, this Writ Petition is dismissed as infructuous. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

mpa
To

1.The Collector, Kanyakumari District, Nagercoil.

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

+1 cc to The Government Pleader, Sr.No. 35204

W.P. 329 of 2007

RGN(CO)

RMP(11/12/2020)