

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.07.2020

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.29067 of 2013

V.Gopi

... Petitioner

Vs.

1.The Commissioner of Municipal Administration,
Ezhilagam,
Chepauk,
Chennai - 600 005.

2.The Commissioner,
Bhavani Municipality,
Bhavani,
Erode District.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to regularize the petitioner's service as a Typist with effect from 26.07.2001 and fix the regular time scale of pay from such date instead of 27.02.2006, in pursuance to the G.O.Ms.No.125 Municipal Administration and Water Supply Department dated 27.05.1999 by considering the petitioner's representation dated 24.02.2006, 03.09.2013 and 05.10.2013 and pass such further or other suitable orders as this Honourable Court deems fit and proper in the circumstances of the case.

For Petitioner : Mr.R.Vinoth Raj
for M/s.N.Manokaran

For Respondents : Mr.S.Thangavel for R1
Special Government Pleader
Mr.P.S.Jayakumar for R2

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the respondents to regularize the petitioner's service as a Typist with effect from 26.07.2001 and to fix the regular time scale of pay from such

date instead of 27.02.2006, in pursuance to G.O.Ms.No.125, Municipal Administration and Water Supply Department, dated 27.05.1999 by considering the petitioner's representations dated 24.02.2006, 03.09.2013 and 05.10.2013.

2.The case of the petitioner is that the petitioner was appointed as Typist in the second respondent Municipality on 26.07.2000 on consolidated salary basis. The petitioner was made permanent on payment of regular time scale of pay from 27.02.2006. According to the petitioner, he completed the eligibility requirement as early as on 26.07.2001 and that he should have been paid regular time scale of pay from 26.07.2001. In this regard, the petitioner made several representations to the respondents and the last of such representation was made on 05.10.2013 and since there was no response, came forward to file this writ petition.

3.The learned counsel appearing for the petitioner would submit that without going into the merits of the case, it would suffice, if this Court issues direction to the second respondent to consider the petitioner's representation dated 05.10.2013 and to pass appropriate orders, within a reasonable time frame.

4.The learned counsel appearing for the second respondent would submit that G.O.Ms.No.125, Municipal Administration and Water Supply Department, dated 27.05.1999, is not applicable to the petitioner, however, the petitioner's representation would be disposed of in the manner known to law.

5.Considering the limited request now made by the learned counsel appearing for the petitioner, this Court directs the second respondent to consider the petitioner's representation dated 05.10.2013 and to pass appropriate orders, in accordance with law, as expeditiously as possible. The petitioner is directed to send a copy of the representation dated 05.10.2013 to the second respondent, along with a copy of this order, so as to enable the second respondent to pass appropriate orders.

6.The writ petition is accordingly disposed of. No costs.

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Sd/-
Assistant Registrar(CO)

//True copy//

Sub Assistant Registrar

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To

1.The Commissioner of Municipal Administration,
Ezhilagam,
Chepauk,
Chennai - 600 005.

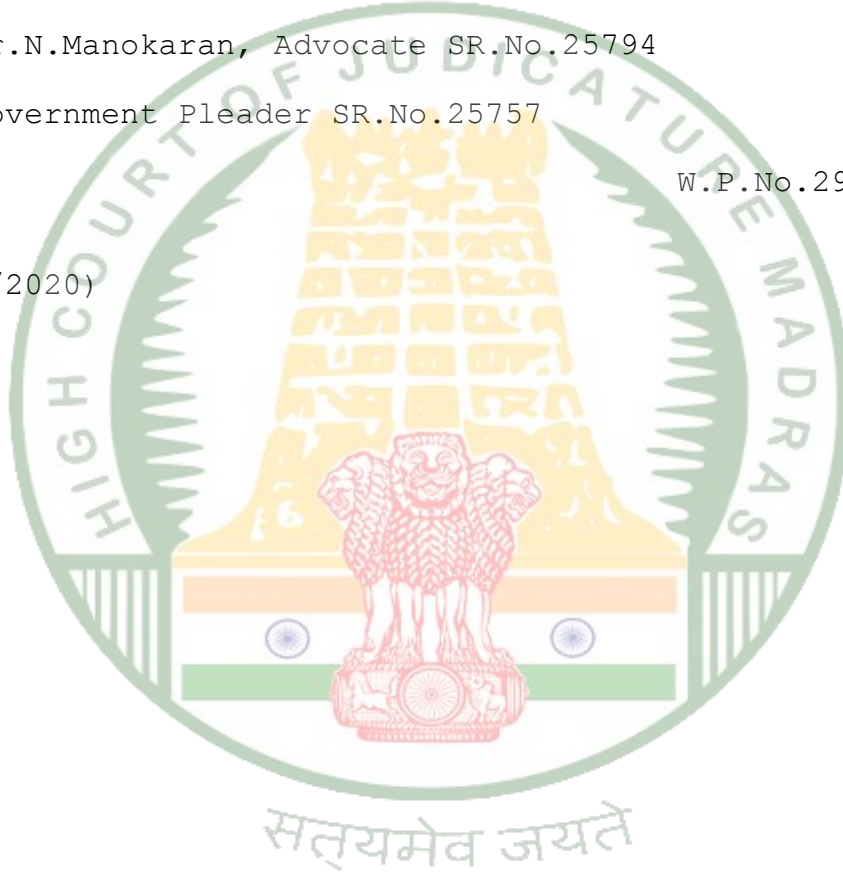
2.The Commissioner,
Bhavani Municipality,
Bhavani,
Erode District.

+1cc to Mr.N.Manokaran, Advocate SR.No.25794

+1cc to Government Pleader SR.No.25757

W.P.No.29067 of 2013

VS (CO)
GMY (28/08/2020)



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