



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.12.2020

CORAM:

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P.[MD]No.17300 of 2020

WEB COPY

R.Ayyappan

... Petitioner

Vs.

1.The District Collector,
Office of the Collector,
Nagercoil,
Kanyakumari District.

2.The Block Development Officer,
Kurunthangode Panchayath Union,
Kurunthangode,
Kanyakumari District.

3.The Special Officer,
Kattimangodu Panchayat,
Kattimangodu,
Kalkulam Taluk,
Kanyakumari District.

... Respondents

PRAYER : This Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Mandamus, to direct the respondents to regularize the petitioner's service in pursuant of the Government Order in G.O.Ms.No.22 dated 28.02.2006 from the date of his appointment and pay his applicable monitory benefits and back wages based on his representations dated 01.02.2016.

For Petitioner : Mr.S.J.Chakkaravarthy

For Respondents : Mr.N.Shanmugaselvam
Additional Government Pleader

ORDER

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2.This Writ Petition has been filed to direct the respondents to regularize the petitioner's service in pursuant of the Government Order in G.O.Ms.No.22 dated 28.02.2006 from the date of his appointment and pay his applicable monitory benefits and back wages based on his representation dated 01.02.2016.

3.It is the contention of the petitioner that he was appointed as full time worker on daily wages as Electric Light Operator in Kattimangodu Panchayat, Kanyakumari District, on 30.06.1994.



Thereafter, he was transferred and posted as full time worker in the post of Drinking Water Supply Assistant. It is the further contention of the petitioner that the Government took a policy decision to regularize the services of the employees working in various Government Departments on daily basis, who have completed more than 10 years of service as on 01.01.2006. The petitioner was completed more than 10 years of service and therefore, he is eligible for regularization. In this regard, the petitioner has given a representation on 01.02.2016. Subsequent to the request, the first respondent has called the details about his employment from the second respondent. After obtaining the said details, the first respondent has not taken any steps to regularize his service. Therefore, without any other options, the petitioner approaches this Court by way of writ petition for appropriate direction.

4. The learned Additional Government Pleader appearing for the first respondent would fairly submit that the representation of the petitioner will be considered on merits and in accordance with law.

5. In view of the submissions made by the learned counsel appearing on either side, this Court directs the first respondent to dispose of the petitioner's representation dated 01.02.2016 within a period of eight weeks from the date of receipt of a copy of this order on merits and in accordance with law.

6. With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

cp

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:-

1. The District Collector,
Office of the Collector,
Nagercoil,
Kanyakumari District.



2.The Block Development Officer,
Kurunthangode Panchayath Union,
Kurunthangode,
Kanyakumari District.

3.The Special Officer,
Kattimangodu Panchayat,
Kattimangodu,
Kalkulam Taluk,
Kanyakumari District.

+1 CC to M/s.S.J.CHAKKARAVARTHY, Advocate (SR-23429[F] dated
01/12/2020)

+1 CC to M/s.GP (SR-23943[F] dated 03/12/2020)

W.P.[MD]No.17300 of 2020
01.12.2020

SSS(CO)
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