



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.11.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.(MD).No.15818 of 2014

C.Balusamy

... Petitioner

-Vs-

1.The Director,
Directorate of Town Panchayat,
Kuralagam 4th Floor,
Chennai 600 108.

2.The Assistant Director,
Town Panchayats,
Thanjavur District.

3.The Executive Officer,
Selection Grade Town Panchayat,
Athiramapattinam,
Thanjavur District 614 701.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to regularise the petitioner's service to the post of Watchman or Pond Watchman with effect from the date of the petitioner's initial appointment i.e., from 07.12.1978 and consequently to pay all the attendant back-wages and arrears of pay etc.

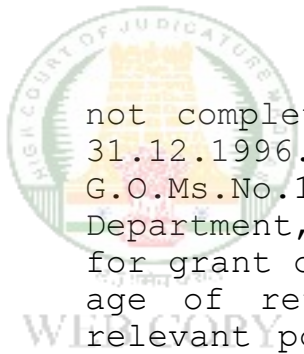
For Petitioner
For Respondents

: Mr.V.R.Venkatesan
: Mr.D.Muruganandham
Additional Government Pleader
for R1 & R2

Mr.Aayiram K.Selvakumar
for R3

ORDER

The petitioner was temporarily appointed as Pond Watchman on daily wages basis in proceedings, dated 07.12.1978 and his daily wage was fixed at Rs.18/- in the year 1978. The petitioner continued as daily wages employee till the year 1987 and thereafter, his services were discontinued. The allegations that some promises were given to regularise his services are stated as false. The fact remains that the petitioner was engaged as daily wages employee and his services were discontinued in the year 1987 itself. The Government issued various orders granting the benefit of regularization to the daily wages employees. Certain post were also created. However, the petitioner was found not eligible as he had



not completed ten years of service as daily wages employee as on 31.12.1996. Thus, even as per the Government Order in G.O.Ms.No.198, Municipal Administration and Water Supply (TP-3) Department, dated 26.10.1998, the petitioner was found not eligible for grant of regularization. The petitioner had already reached the age of retirement and now, many years lapsed, even during the relevant point of time in the year 1988, the petitioner was found not eligible for grant of regularization as he has not completed the minimum prescribed period of ten years of service.

2.This being the factum, the benefit of regularization cannot be now granted and the petitioner has not established any acceptable legal ground. Accordingly, the Writ Petition stands dismissed. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

rmk

To

1.The Director,
Directorate of Town Panchayat,
Kuralagam 4th Floor,
Chennai 600 108.

2.The Assistant Director,
Town Panchayats,
Thanjavur District.

+1 CC to M/s.GP (SR-22629[F] dated 24/11/2020)

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PM(CO)
AP(08/12/2020) 2P 4C