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IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED : 27.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.10386 of 2017

and

W.M.P.Nos.11287 & 11288 of 2017

C.Jeyaseelan

... Petitioner

Vs

1. The Director,
Rural Development and Panchayat Raj,
Panagal Maligai, Saidapet,
Chennai - 600 015.

2. The District Collector,
Krishnagiri,
Krishnagiri District.

3. The Commissioner,
Mathur Panchayat Union,
Mathur, Krishnagiri District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Certiorarified Mandamus, to call for the records relating to the order passed in Na.Ka.No.2040/2017/M.2 of the 2nd respondent herein dated 27.01.2017 and quash the same and consequently direct the 2nd respondent to regularize the services of the petitioner in the 3rd respondent union or any other union by taking into account the service details of the petitioner as per the guidelines issued in G.O.Ms.38 dated 03.05.2003 by the Ministry of Rural Development and Panchayat Raj.

For Petitioner : No Appearance

For R1 & 2 : Mr.K.V.Sajeev Kumar
Government Counsel

For R3 : No Appearance



ORDER

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

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2. The petitioner herein claims to have been working under the second respondent herein on daily wages from 01.01.1997 onwards. By quoting the case of one M.Mukkan, who was regularized as per G.O.Ms.No.38 dated 23.09.2008, the petitioner herein submits that the said M.Mukkan, who had not completed 10 years of service, was regularized, whereas the petitioner's candidature was not considered for regularization.

3. The petitioner himself had produced details furnished by the Block Development Officer, which evidences that the petitioner was initially working for the respondents from 01.12.1999 till 30.06.2006, which works out to a service period of 8 years, whereas M.Mukkan had served the respondents on daily wage basis from 01.10.1985 to 31.12.2003, which works out to the service period of 17 years. Apparently, the details furnished by the petitioner with regard to the service particulars of M.Mukkan and Jayaseelan does not help the petitioner.

4. Since the proceedings of the Block Development Officer dated 10.10.2012 evidences that the petitioner had not put in 10 years of service, he may not have a legal right to claim for regularization. Accordingly, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

hvk

To

1. The Director,
Rural Development and Panchayat Raj,
Panagal Maligai, Saidapet,
Chennai - 600 015.
2. The District Collector,
Krishnagiri,
Krishnagiri District.



3. The Commissioner,
Mathur Panchayat Union,
Mathur, Krishnagiri District.

+1cc to Mr.P.Madan, Advocate, S.R.No.36519

+1cc to the Government Pleader, S.R.No.36295

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KV(CO)
HS(23/08/2021)