

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.03.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.30353 of 2018  
& W.M.P.No.35433 of 2018

E.Venkatesulu

...Petitioner

Vs.

1. Government of Tamil Nadu,  
Represented by its Principal Secretary,  
Animal Husbandry, Dairying and Fisheries Department,  
Fort St. George, Chennai - 600 009.
2. The Registrar,  
Tamil Nadu Veterinary and Animal Science University,  
Mathavaram, Dairy Fair, Chennai - 600 051. ...Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents to regularize the service of the petitioner from the date of initial appointment by considering the representation dated 29.10.2018 made by the petitioner with all consequential benefits and in accordance with law within a time to be stipulated by this Court.

For Petitioner : Mr.P.Ganesan

For Respondents: Mr.R.S.Selvam  
Government Advocate - R1  
Mr.V.Gangatharan - R2

ORDER

The present writ petition has been filed seeking a mandamus to the respondents to consider the petitioner's representation dated 29.10.2018 and to regularize his service from the date of initial appointment with all consequential benefits in accordance with law within a time to be stipulated by this Court.

2. According to the petitioner, he was appointed as Sweeper in the second respondent College from 02.08.2006 on daily wage of Rs.72/-, which was revised to Rs.336/- in the year 2018. Though he has been working for more than 12 years, his services were not regularised till date. The second respondent also did not take any steps to get the services of the petitioner regularised. While so, he came to know that by virtue of G.O.Ms.No.22, Animal Husbandry, Dairying and Fisheries Department, dated 28.02.2011, the services of similarly placed persons who have completed 10 year of Casual Labourer as on 01.01.2006, have been regularized. Seeking to extend the said benefit to the petitioner as well, he made a representation dated 29.10.2018 to the respondents. Finding no response on the same, he has preferred this writ petition for the aforesaid relief.

3. The second respondent filed a counter affidavit stating that the claim of the petitioner is not governed by the regulations of the University and hence, he is not entitled to be absorbed in regular service.

4. Heard both sides and perused the documents enclosed in the typed set of papers.

5. Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court, without going into the merits of the case, directs the respondent authorities to consider the representation of the petitioner dated 29.10.2018 and pass appropriate orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

6. Accordingly, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

s/d-

Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

To

1. The Principal Secretary,  
Animal Husbandry, Dairying and Fisheries Department,  
Fort St. George, Chennai - 600 009.

2. The Registrar,  
Tamil Nadu Veterinary and Animal Science University,  
Mathavaram, Dairy Fair, Chennai - 600 051.

+1 CC to The Government Pleader sr 19376.

W.P.No.30353 of 2018

CP(CO)  
SP(06/07/2021)



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