



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.3205 of 2021

G.Yogannan

... Petitioner

Vs.

1.The District Collector,
Kanniyakumari District at Nagercoil.

2.The Assistant Director of Panchayats,
Kanniyakumari District at Nagercoil.

3.The Block Development Officer,
Melpuram,
Pacode Post,
Kanniyakumari District.

4.The President,
Manjalumoodu Village Panchayat,
Manjalumoodu Post,
Kanniyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to re-fix the salary for the petitioner on daily wage basis on par with other employees under same category by considering the representation sent by the petitioner dated 04.01.2021 and in the light of order passed by this Court in W.P.(MD).No.1601 of 2007, dated 02.03.2012 and W.P.(MD).No.6137 of 2015, dated 15.02.2017, within the time limit as stipulated by this Court.

For Petitioner : Mr.B.Christopher

For Respondents 1&2 : Mr.P.Kannithevan

Additional Government Pleader

For Respondents 3&4 : Mr.A.Karthik

Government Advocate

O R D E R

Heard Mr.B.Christopher, learned counsel for the petitioner, Mr.P.Kannithevan, learned Additional Government Pleader, who takes notice for the respondents 1 & 2 and Mr.A.Karthik, learned Government Advocate appearing for the respondents 3 & 4.



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

3.The petitioner is aggrieved against the non fixation of the salary on daily wage basis on par with the other employees under the same category. In this connection, the petitioner herein had made sufficient representations including the representation, dated 04.01.2021.

4.Today, when the matter came for admission, the learned Government Advocate, appearing for the respondents 3 and 4 submitted that the petitioner's representation, dated 04.01.2021, has been considered and rejected through the proceedings of the first respondent in Na.Ka.No.t3-878-2021. Dated 02.02.2021. As such, the prayer in the present writ petition has become infructuous. If the petitioner is aggrieved against the order of the first respondent herein liberty is hereby granted to the petitioner to challenge the same in accordance with law.

5.With the above liberty this writ petition stands closed. No costs.

Sd/-

Assistant Registrar (CS-III)

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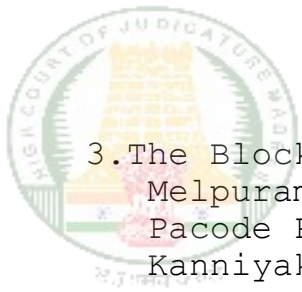
Sub Assistant Registrar(CS)

TM

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,
Kanniyakumari District at Nagercoil.
- 2.The Assistant Director of Panchayats,
Kanniyakumari District at Nagercoil.



3.The Block Development Officer,
Melpuram,
Pacode Post,
Kanniyakumari District.

4.The President,
Manjalumoodu Village Panchayat,
Manjalumoodu Post,
Kanniyakumari District.

+1 CC to Mr.B.CHRISTOPHER, Advocate (SR-6090[F] dated 19/02/2021)

+1 CC to THE SPECIAL GOVERNMENT PLEADER(SR-6445[F] dated 22/02/2021)

+1 CC to Mr.A.KARTHIK, Advocate (SR-6619[F] dated 23/02/2021)

Order made in
W.P. (MD) No.3205 of 2021
19.02.2021

ES (CO)
SRS (11/03/2021) 3P : 8C