



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.10.2021

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P(MD)No.18064 of 2021

M.Thangaraj

... Petitioner

Vs.

1.The Director of Town Panchayat,
Kuralagam, Chennai.

2.The Assistant Director of Town Panchayat,
Dindigul, Dindigul District.

3.The Executive Officer,
Palayam Town Panchayat,
Guziliamparai,
Dindigul District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the Respondents to regularize the Petitioner's service with effect from 24.11.1995 and to disburse all other attendant service benefits accrued with effect from 24.11.1995 in the light of the Petitioner's representation dated 25.01.2019 and pass orders.

For Petitioner : Mr.J.Ashok
For Respondents : Mr.S.Shanmugavel,
Standing Counsel for State
for R1 & R2.
Mr.A.K.Manikkam,
Standing Counsel for State
for R3.

ORDER

This Writ Petition is filed for the issuance of a Writ of Mandamus, directing the Respondents to regularize the Petitioner's service with effect from 24.11.1995 and to disburse all other attendant service benefits accrued with effect from 24.11.1995 in the light of the Petitioner's representation dated 25.01.2019 and pass orders.

2. According to the petitioner, he was appointed as Over Head Tank Operator (OHT) and his service was brought under regular time scale of pay by proceedings in Na.Ka.No.280/2006 dated 26.07.2006 and his period of service from 24.11.1995 was not taken into account, while regularizing his service. The petitioner has made a representation to the respondents seeking regularization of his service with effect from 24.11.1995. The said representation is still pending and no orders have been passed. Hence the petitioner



has filed the present Writ Petition.

3. The learned counsel for the petitioner made a request that it would be suffice to direct the first respondent to consider the petitioner's representation dated 25.01.2019 and pass appropriate orders.

4. The learned Standing Counsel appearing for the Department submitted that the petitioner is not entitled for the regularization of service and he is only entitled for regular time scale of pay which has already been granted by the respondents.

5. This Court, without expressing any opinion on merits, directs the first respondent to consider and pass appropriate orders on its own merits and in accordance with law as expeditiously as possible in the light of Government Orders.

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

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

mnr

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 Director of Town Panchayat,
Kuralagam, Chennai.

2.The Assistant Director of Town Panchayat,
Dindigul, Dindigul District.

3.The Executive Officer,
Palayam Town Panchayat,
Guziliamparai, Dindigul District.

+1 CC to M/s.J.ASHOK, Advocate (SR-31043[F] dated 04/10/2021)

+1 CC to M/s.SPL.GP (SR-31205[F] dated 05/10/2021)

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RD/JGB(29.10.2021) 2P 6C

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