



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:12.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P. (MD)No.2813 of 2017

M.Devakumar

... Petitioner

Vs.

- 1.The Registrar,
Tamil University,
Thanjavur Distirct-613 010
- 2.The Vice Chancellor,
Tamil University,
Thanajvur District-613 010
- 3.The Secretary,
Syndicate Committee of Tamil University,
Tamil University,
Thanjavur District-613 010.
- 4.The Chief Secretary to Government of Tamil Nadu,
St George Fort,
Secretariat,
Chennai-600 006.
- 5.The Secretary to Government of Tamil Nadu,
Social Welfare and Nutrition Meal Program Department,
St.Geoge Fort,
Secretariat,
Chennai-600 006.
- 6.The Secretary to Government of Tamil Nadu,
Tamil Development Culture and Religious Endowment Department,
St.George Fort,
Secretariat,
Chennai-600 006.
- 7.The Secretary to Government of Tamil Nadu,
Department of Higher Education,
St. George Fort,
Secretariat,
Chennai-600 006.
- 8.The Commissioner,
Department of Differently Disabled
Jawarharlal Nehre Inner Ring Road,
K.K.Nager,
Chennai-600 006.



9.The Chairman,
University Grants Commission,
Bahadur Shah Zafamarg,
New Delhi-110 002.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to forward the petitioner's appointment order in Na.Ka.No.E4/9681/2007 dated 03.11.2016 issued by 1st respondent to the respondents 6 & 8 for regularization of his service with effect from 16.10.2008 in accordance with G.O(Ms)No.151, dated 16.10.2008 passed by the 5th respondent and in the light of proceeding No.Aa.Ku.Koo.No.174/K1/2010 dated 09.03.2011 passed by the 3rd respondent and pay him back wages from the date of regularization of his service by considering representation of the petitioner dated 03.02.2017 issued respondent 1 to 8.

For Petitioner	: Mr.R.Sureshkumar
For R1	: Mr.T.Sakthikumaran
For R4 to R8	: Mr.K.Sathiyasingh Additional Government Pleader
For R9	: No appearance
For R2 & R3	: No appearance

O R D E R

This writ petition has been filed for a direction to the respondents 1 to 3 to forward the petitioner's appointment order in Na.Ka.No.E4/9681/2007, dated 03.11.2016 issued by the first respondent to the respondents 6 & 8 for regularization of his service with effect from 16.10.2008, in accordance with G.O(Ms) No.151, dated 16.10.2008 passed by the fifth respondent and in the light of proceeding No.Aa.Ku.Koo.No.174/K1/2010 dated 09.03.2011 passed by the third respondent and pay him back wages from the date of regularization of his service by considering representation of the petitioner dated 03.02.2017.

2.The case of the petitioner is that the first respondent appointed the petitioner as Research Assistant on a monthly consolidated pay scale of Rs.1,100/- for a period from 01.11.2004 to 13.01.2005. Periodically, his service was extended and finally, on 13.11.2016. While so, the fifth respondent has passed an G.O.Ms.No.151, dated 16.10.2008 indicating that the service of the physically handicapped persons, who are working on the consolidated pay scale for more than two years, shall be regularized. Hence, the petitioner has made a representation dated 03.02.2017 to the respondents for regularization of his service. So far no order has been passed. Hence, the present writ petition is filed.

3.The learned counsel appearing for the petitioner would submit that this Court may issue a direction to the respondents to consider



the petitioner's representation dated 03.02.2017 in accordance with law.

4.The learned counsel appearing for the first respondent would submit that the petitioner was appointed as Research Assistant Fellow on a monthly consolidated pay scale of Rs.1,100/- and hence, he is not entitled for regularization.

5.Considering the limited request made by the learned counsel for the petitioner, this Court directs the concerned respondent to consider the petitioner's representation dated 03.02.2017 and pass appropriate orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order, if not disposed of already.

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

Sd/-

Assistant Registrar (T&P)

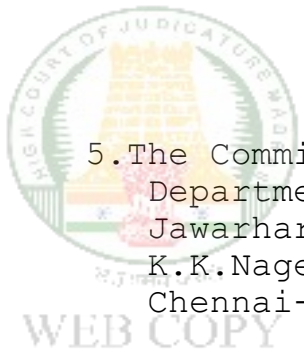
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Sub Assistant Registrar(CS)

To

- 1.The Chief Secretary to Government of Tamil Nadu,
St George Fort,
Secretariat,
Chennai-600 006.
- 2.The Secretary to Government of Tamil Nadu,
Social Welfare and Nutrition Meal Program Department,
St.George Fort,
Secretariat,
Chennai-600 006.
- 3.The Secretary to Government of Tamil Nadu,
Tamil Development Culture and Religious Endowment Department,
St.George Fort,
Secretariat,
Chennai-600 006.
- 4.The Secretary to Government of Tamil Nadu,
Department of Higher Education,
St. George Fort,
Secretariat,
Chennai-600 006.



5.The Commissioner,
Department of Differently Disabled
Jawaharlal Nehru Inner Ring Road,
K.K.Nager,
Chennai-600 006.

+1 CC to M/s.R.SURESH KUMAR, Advocate (SR-10733[F] dated 12/03/2021
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W.P. (MD)No.2813 of 2017
12.03.2021

KG (CO)
KB (23.03.2021) 4P 7C