



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.02.2021

CORAM:

THE HONOURABLE **MR.JUSTICE M.DHANDAPANI**

W.P. (MD)No.24828 of 2016

WEB COPY

C.Albert Thangaraj

... Petitioner

Vs.

1.The District Collector,
Pudukottai District,
Pudukottai.

2.The Block Development Officer,
Avudaiyarkovil Panchayat Union,
Avudaiyarkovil,
Pudukottai District.

3.The Correspondent,
R.C.High School,
Patharakudi,
Avudaiyarkovil Taluk,
Pudukottai District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order in O.Mu.V5/1053/2016 dated 21.06.2016 of the first respondent and quash the same and consequently directing the respondents to disburse the back wages and arrears of salary to the petitioner from the period of 19.07.1999 to 20.12.2010.

For Petitioner : Mr.D.Shanmugaraja Sethupathi

For Respondents 1 & 2 : Mr.C.M.Marichelliah Prabhu
Additional Government Pleader

For Respondent No.3 : No appearance

O R D E R

This writ petition has been filed against the proceedings of the first respondent dated 21.06.2016 and also for a direction to the respondents to disburse the back wages and arrears of salary to the petitioner from the period of 19.07.1999 to 20.12.2010.



2. When this matter came up for hearing, the learned counsel for the petitioner would submit that the first respondent passed the impugned order rejecting the petitioner's above said request on the ground that there is no Rules to do the same. Hence, he requests this Court that it would be suffice, if the petitioner is permitted to make a representation by quoting the relevant Rules for regularization of the service of the petitioner and thereafter, a direction may be issued to the respondents to consider such representation within a reasonable time as fixed by this Court.

3. Though counter is not filed in this case, the learned Additional Government Pleader submitted that as per Rule 54(b) of the Fundamental Rules, the petitioner is not entitled for regularization of service.

4. Considering the limited request made by the learned counsel for the petitioner, without going to the merits of the case, this Court permits the petitioner to make a representation before the first respondent, on receipt of such representation, the first respondent shall pass appropriate orders, in accordance with law, as early as possible, if there is no legal impediment to do so.

5. With the above directions, this Writ Petition stands disposed of. No Costs.

Sd/-

Assistant Registrar(T & P)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

PJL

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,
Pudukottai District, Pudukottai.



2.The Block Development Officer,
Avudaiyarkovil Panchayat Union,
Avudaiyarkovil, Pudukottai District.

+1 CC to M/s.SPL GP (SR-5670[F] dated 17/02/2021)

+1 CC to M/s.D.SHANMUGARAJA SETHUPATHI, Advocate (SR-5990[F]
dated 18/02/2021)

**W.P. (MD) .No.24828 of 2016
16.02.2021**

NSM(CO)
TR(25.02.2021) 3P 5C