



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.06.2022

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

Writ Petition No.3884 of 2014

P.Manikandan
S/o.Palaniyappan

...Petitioner

Vs.

1. The Divisional Engineer (Highways),
Highways Department,
Pollachi, Coimbatore District.

2. The Assistant Divisional Engineer (Highways),
(Construction & Maintenance),
Highways Department,
Pollachi, Coimbatore District.

...Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned order passed by the second respondent in his proceedings vide Ku.No.32/2012/E.Ne.Vu dated 10.12.2012 and quash the same and direct the respondents to the limited extent of declaring the satisfactory completion of probation on 08.11.1999 instead of from 06.11.1999.

For Petitioners : Mr.G.Meganathan
for Mr.V.Thirupathi

For Respondents : Mrs.S.Anitha,
Additional Advocate General

O R D E R

The order impugned dated 10.12.2012 rejected the claim of the writ petitioner to declare probation on completion of one year service.

2.The petitioner was initially appointed as Salaipaniyalar on 05.11.1997 on consolidated pay basis. His services were regularized with effect from 05.11.1998. The period of probation was satisfactory completion of one year. However, the petitioner claim that on completion of one year, the probation was not declared. The order impugned states that the petitioner was



appointed on 05.11.1997 and he has taken leave on loss of pay and thus, his services were regularized on 05.11.1998 and the probation was declared on 08.11.1999. In view of the fact that the petitioner availed leave on loss of pay, the said period was deducted and thereafter, the probation was declared. This apart, the probation was declared in the year 1999 and the petitioner submitted an application only on 24.11.2012, which was disposed of by passing the impugned order on 10.12.2012. Thus, there was an enormous delay even in approaching the authorities. The probation was declared in the year 1999, however, the representation was submitted only in the year 2012 by the writ petitioner. That apart, the petitioner availed leave on loss of pay and taking note of all those factors, the probation was declared. Under these circumstances, this Court does not find any infirmity in the order impugned.

Accordingly, this Writ Petition stands dismissed. No costs.

Sd/-

Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

gm

To

1. The Divisional Engineer (Highways),
Highways Department,
Pollachi, Coimbatore District.
2. The Assistant Divisional Engineer (Highways),
(Construction & Maintenance),
Highways Department,
Pollachi, Coimbatore District.

Writ Petition No.3884 of 2014

KJ(CO)

RGA(24/06/2022) (28/06/2022)