



WEB COPY



W.P.No.29049 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.11.2022

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.29049 of 2022

and

W.M.P.No.28337 of 2022

K.C.Sivasankaran

... Petitioner

Vs

1. The Commissioner of sugars,
No.690, 2rd Floor,
Periyar Building,
Anna Salai,
Nandanam,
Chennai - 600 035

2. Dharmapuri District Co-operative Sugar
Mills Ltd.,
Palacode,
Dharmapuri District - 636 808

... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus to direct the respondents to consider the petitioner's representation dated 17.10.2022 and to regularize the petitioner as Lab Chemist in Dharmapuri District Co-operative Sugar Mills Ltd., Palacode, Dharmapuri District- 636 808.



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For Petitioner ... Mr.V.R.Rajarajan
For Respondents ... Mr.E.Sundaresan,
Government Advocate for R1
Mr.R.Siddharth,
Government Advocate for R2

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondents to regularise the petitioner as Lab Chemist in Dharmapuri District Co-operative Sugar Mills Ltd., Dharmapuri District- 636 808, based on his representation dated 17.10.2022, within a time frame to be fixed by this Court.

2. The petitioner claims that he has been working as a Lab Chemist in Dharmapuri District Co-operative Sugar Mills Ltd., Dharmapuri District- 636 808, for the past 16 years. Till date, his service has not been regularised. The petitioner has given a representation on 17.10.2022 requesting to regularise him in the post of Lab Chemist. Since the representation has not been considered till date, he has filed the present writ petition.

3. Heard the learned counsel for the petitioner, Mr.E.Sundaresan, learned Government Advocate accepts notice on behalf of the 1st respondent



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and Mr.R.Siddharth, learned Government Advocate accepts notice on behalf of the 2nd respondent. By consent of both the parties, the writ petition is taken up for final hearing.

4. Learned Government Advocates appearing for the respective respondents would submit that the petitioner's representation was already rejected on 19.10.2022. However, the learned counsel for the petitioner would submit that the rejection pertains to fresh appointment. Learned Government Advocates appearing for the respective respondents would submit that since the petitioner did not satisfy the age criteria, he was not considered for appointment as a Lab Chemist on 19.10.2022. However, the learned counsel for the petitioner would submit that he is not seeking fresh appointment in his representation dated 17.10.2022 referred to supra and that he is only seeking for regularisation of his service as Lab Chemist as he has put in 16 years of service already. No prejudice would be caused to the respondents if the petitioner's representation is considered on merits and in accordance with law within a time frame to be fixed by this Court.

5. For the foregoing reasons, this Court directs the 2nd respondent to pass final orders on the petitioner's representation dated 17.10.2022 seeking



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to regularise him as Lab Chemist in Dharmapuri District Co-operative Sugar Mills Ltd., Dharmapuri District- 636 808, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

6. With the aforesaid direction, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

03.11.2022

Index: Yes/ No
Speaking Order/Non-speaking Order
vsi

To

1. The District Collector,
O/o The Collectorate,
Kallakurichi, Kallakurichi District.
2. The Revenue Divisional Officer,
O/o The Revenue Divisional Office,
Kallakurichi,
Kallakurichi District.
3. The Tahsildar,
O/o The Tahsildar,
Chinna Salem Post & Taluk,
Kallakurichi District.

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ABDUL QUDDHOSE, J.

vsi

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