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W.P.No.29225 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 04.11.2022

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.29225 of 2022

A. Kalaivani

... Petitioner

Vs.

1. Government of Tamil Nadu,
Rep. by Principal Secretary to Government,
Revenue Department,
Secretariat, Chennai – 600 009.
2. The Commissioner of Revenue Administration,
Chepauk, Chennai – 600 005.
3. The District Collector,
Tiruvannamalai District,
Tiruvannamalai.
4. The Tahsildar,
Taluk Office,
Cheyyar, Thiruvannamalai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus, directing the respondents to regularize the petitioner's service period of temporary services as Typist from 21.01.2008 to 03.08.2011 AN as duty for all service benefits and direct the respondents herein to issue orders retrospectively regularizing her



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service and re-fix her pay from 21.01.2008 with all consequential benefits including increment and earned leave by considering the petitioner's representations dated 10.02.2017, 26.11.2018, 10.10.2019 and 05.09.2022 and disburse the arrears in the light of judgment in W.P.No.11858 of 2010 and W.A.No.1832 of 2018.

For Petitioner : Mr.P. Murali

For Respondents : Mr.Naveen Kumar,
Government Advocate

ORDER

This Writ Petition has been filed for a Mandamus seeking for regularization of the petitioner's service from 21.01.2008 being the date when she was appointed as a Typist and re-fix her pay accordingly.

2. Heard the learned counsel for the petitioner. Mr.Naveen Kumar, learned Government Advocate accepts notice on behalf of the respondents. By consent of both the parties, this Writ Petition is taken up for final disposal at the admission stage itself.

3. According to the petitioner, though she was appointed as a Typist on temporary basis on 21.01.2008, she was later appointed by the Tamil



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Nadu Public Service Commission, without any break of service. Therefore, according to her, she ought to have been regularized in service right from the date of her initial appointment as a Typist i.e. from 21.01.2008 onwards. She has also given representations on 10.02.2017, 26.11.2018, 10.10.2019 and 05.09.2022 seeking for regularization of her service from 21.01.2008. Since the representations have not been considered till date, she has filed this Writ Petition.

4. The petitioner also relies upon the orders passed by this Court in W.P.No.11858 of 2010 and W.A.No.1832 of 2018 in support of her contention in WP. It is for the respondents to consider the same on merits and in accordance with law.

5. No prejudice will be caused to the respondents if a direction is issued, to consider the petitioner's representations on merits and in accordance with law, within a time frame to be fixed by this Court.

6. For the foregoing reasons, this Court directs the first respondent to pass final orders on the petitioner's representations dated 10.02.2017,



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26.11.2018, 10.10.2019 and 05.09.2022 seeking for regularization of her service with effect from 21.01.2008, as she has been employed without any break of service, within a period of twelve (12) weeks from the date of receipt of a copy of this order. The petitioner is directed to enclose the copy of this order along with the authorities which she relies upon, to the first respondent, for the effective implementation of this order.

7. With the aforesaid directions, this Writ Petition is disposed of. No costs.

04.11.2022

Speaking/Non-speaking order

Index: Yes/No

Internet: Yes/No

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To

- 1.Principal Secretary to Government of Tamil Nadu,
Revenue Department,
Secretariat, Chennai – 600 009.
- 2.The Commissioner of Revenue Administration,
Chepauk, Chennai – 600 005.
- 3.The District Collector,
Tiruvannamalai District,
Tiruvannamalai.
- 4.The Tahsildar,
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ABDUL QUDDHOSE,J.

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