



W.P.(MD).No.27662 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.12.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.27662 of 2022

S.Kasimayan

... Petitioner

vs.

1.State of Tamil Nadu
represented by its Principal Secretary,
Department of Higher Education,
Fort St. George,
Chennai -20.

2.The Registrar,
Madurai Kamaraj University,
Madurai – 21.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the respondents to regularise the petitioner's service as Clerk with effect from the date of completion of 10 years of service ie., from 03.02.2013 along with all consequential benefits, as per the petitioner's representations dated 15.12.2020 and 16.12.2021, by fixing a time period by this Court.



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For Petitioner : Mr.R.Ramasamy
For R1 : Mr.S.Saji Bino
Special Government Pleader
For R2 : Mr.T.Sakthikumaran
Standing counsel

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus, directing the respondents to regularise the petitioner's service as Clerk with effect from the date of completion of 10 years of service ie., from 03.02.2013 along with all consequential benefits, as per the petitioner's representations dated 15.12.2020 and 16.12.2021.

2. By consent of both parties, the writ petition itself is taken for final disposal at the admission stage.

3. The case of the petitioner is that he was joined as a Casual Labourer (CLR) on daily wage basis on 03.02.2003. Later, the appointment committee of the respondent University appointed him as a Casual Labourer on consolidated pay on 14.11.2005 and the same was



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also approved by the Syndicate on 14.11.2005. However, the respondent University has not taken any steps to regularise the petitioner till date. Hence, he has made a representation to the second respondent on 15.12.2020 and 16.12.2021 in person, to regularise his service. Since the same was not considered by the second respondent, the present writ petition has been filed.

4. The learned counsel appearing for the petitioner would submit that it would suffice, if the second respondent is directed to dispose of the representation of the petitioner, dated 16.12.2021, on merits and in accordance with law, within a specified period.

5. The learned Standing counsel appearing for the second respondent would submit that if any provision available, the petitioner's representation will be considered, in the manner known to law.

6. Considering the above facts, this Court directs the second respondent to consider the petitioner's representation, dated 16.12.2021



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and pass appropriate orders, on merits and in accordance with law, after providing opportunity to the petitioner, within a period of twelve weeks from the date of receipt of a copy of this order.

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

07.12.2022

akv

To

1.The Principal Secretary,
Government of Tamil Nadu,
Department of Higher Education,
Fort St. George,
Chennai -20.

2.The Registrar,
Madurai Kamaraj University,
Madurai – 21.

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M.DHANDAPANI,J.

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