



W.P.No.350 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 11.01.2023

Coram:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.350 of 2023 and W.M.P. No.323 of 2023

J.Duraiponnaiyan

... Petitioner

Vs.

1.The Agricultural Production

Commissioner and Secretary,
Government of Tamil Nadu,
Agriculture and Farmers Welfare Department,
St. George Fort,
Secretariat,
Chennai – 600 009.

2.The Director,

Agriculture and Farmers Welfare Department,
Chepauk,
Chennai – 600 005.

3.The Chief Engineer,

Agricultural Engineering Department,
487, Anna Salai,
Nandanam,
Chennai – 600 035.

4.The Executive Engineer,

Agricultural Engineering Department,
Thiruvannamalai.

... Respondents



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Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the first respondent to regularise the service of the petitioner as Driver in regular time scale of pay with effect from the date of the initial appointment of the petitioner.

For Petitioner : Mr.V.S.Jagadeesan

For Respondents : Ms.M.Jayanthi,
Additional Government Pleader

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the first respondent to regularise the service of the petitioner as Driver in regular time scale of pay with effect from the date of initial appointment of the petitioner.

2.The petitioner has been appointed as a Jeep Driver in the year 2012. He has sought for regularisation of his service by giving representations dated 27.07.2022 and 21.11.2022. It is also contended by the petitioner that the third respondent has also recommended the case of the petitioner for regularisation by his proceedings dated 24.04.2017. Since the representations have not been considered till date, he has filed this writ petition.



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3. When the matter came up for hearing before this Court on 09.01.2023, the learned counsel for the petitioner sought time to produce proof to show that the petitioner has been receiving salary till date from the respondents.

4. Today, the learned counsel for the petitioner has filed typed set of papers disclosing the details of the monthly salary of the petitioner.

5. Since proof has been produced, no prejudice would be caused to the respondents if the petitioner's representations seeking for regularisation is considered, on merits and in accordance with law, within a time frame to be fixed by this Court.

6. The petitioner also categorically contends that he is still in service of the respondents and therefore, till final orders on his regularisation representations dated 27.07.2022 and 21.11.2022 are passed, his present employment shall not be disturbed by the respondents.



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7.For the foregoing reasons, this Court directs the first respondent to pass final orders, on merits and in accordance with law on the petitioner's representations dated 27.07.2022 and 21.11.2022 seeking for regularisation of his service as a Jeep Driver with the respondents, within a period of twelve weeks from the date of receipt of a copy of this order.

8.However, it is made clear that till final orders are passed, the petitioner shall not be disturbed by the respondents from his present employment as a Jeep Driver.

9.With the above direction, this writ petition stands disposed of. Consequently, connected W.M.P. stands closed. No costs.

11.01.2023

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Index:Yes/No



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ABDUL QUDDHOSE, J

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