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W.P.No.4632 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.4632 of 2023

K. Vijaya

... Petitioner

Vs.

1.Union of India,
Rep. by Secretary to Government,
Ministry of Corporate Affairs,
Room No.502, 505 & 538,
'Shastri Bhavan', 'A' – Wing, 5th Floor,
Dr.R.P. Road,
New Delhi – 110 001.

2.Regional Director, (SR)
Ministry of Corporate Affairs,
'Shastri Bhavan', Block – 1, V Floor,
26, Haddows Road,
Chennai – 600 006.

3.Official Liquidator,
High Court, Madras,
Ministry of Corporate Affairs,
'Corporate Bhavan', II Floor,
No.29, Rajaji Salai,
Chennai – 600 001.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to



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absorb the petitioner as Lower Division Clerk with effect from the date of initial appointment as Estate Clerk i.e. with effect from 23.10.1996 with arrears of pay and all other consequential benefits including re-fixation of pay in favour of the petitioner.

For Petitioner : Ms.Y. Kavitha,
for P.V.S. Giridhar Associates

For Respondents : Mr.S. Diwakar,
Central Government Sr. Panel Counsel

ORDER

The petitioner herein, was appointed as an Estate Clerk on 23.10.1996 in the third respondent/Office. Thereafter, she had been continuing in service for more than 26 years. She now seeks for regularization of her services.

2. The issue with regard to the regularization of the Estate Clerk/Company Paid Staff, was already dealt with by this Court which went up to the Hon'ble Supreme Court in the case of '*Union of India & others Vs. Usharani & another* in *SLP.Nos.025025 - 025026 of 2019 dated 13.01.2020*, wherein, the Hon'ble Supreme Court had directed the respondents to regularize the services of the Estate Clerks therein, by



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implementing the orders of this Court. In consequence to the order of the Hon'ble Supreme Court, the respondents have also regularized the services of the Estate Clerks therein, from the date of their initial appointment. In this background, the petitioner would also be entitled for a similar relief.

3. In view of the above findings and observations, there shall be a direction to the respondents herein, to pass appropriate orders, regularizing the services of the petitioner from the date of her initial appointment, as an Estate Clerk, together with all service and monetary benefits, within a period of four (4) weeks from the date of receipt of a copy of this order.

4. With the above direction, the Writ Petition stands disposed of.

No costs.

19.06.2023

Speaking order/Non-speaking order

Index: Yes/No

Internet: Yes/No

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M.S.RAMESH,J.

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To

- 1.Secretary to Government,
Union of India,
Ministry of Corporate Affairs,
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Dr.R.P. Road, New Delhi – 110 001.
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