



WEB COPY



W.P.No.22025 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2023

CORAM

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.22025 of 2023

A.Mohan

... Petitioner

-Vs-

1. The Principal Secretary to Government and
Agricultural Production Commissioner,
Agriculture Department,
Secretariat, Chennai - 600 009.
2. The District Commissioner for Disciplinary Proceedings,
Coimbatore.
3. The Chief Engineer,
Agricultural Engineering Department,
Chennai-600 015.

... Respondents

Prayer:- Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the 1st respondent to regularize the service of the petitioner from the date of his initial appointment i.e.10.05.1998 notwithstanding the pendency of Disciplinary Proceedings on the file of 2nd respondent in TDP 35/2010 and to extend the benefit of G.O.Ms.No.94, Agriculture Department, dated 26.05.2012 to the petitioner under which the services of similarly placed person's had been regularized.



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For Petitioner : Mr.S.Balakrishnan
for Mr.M.Ravi

For Respondents : Mr.M.Muthusamy
Government Advocate

ORDER

This Writ Petition has been filed for direction directing the 1st respondent to regularise the service of the petitioner from the date of his initial appointment i.e. 10.05.1998.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents and perused the materials available on records.

3. The petitioner was appointed as Assistant Engineer under Rule 10(a)(i) of the General Rules for Tamil Nadu State and Subordinate Services Rules and joined duty on 11.05.1998. However, his service was not regularised. Therefore, he approached this Court seeking for direction to regularise his service and also prayed for interim injunction not to terminate the service. This Court granted interim order of *Staus-quo* dated 27.06.2008 in W.P.No.15295 of 2008 and 16170 of



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2008. Subsequently, he was served with charge memo dated 03.02.2011.

Therefore, the service of the petitioner was not regularised.

4. A perusal of the counter filed by the respondents revealed that on the strength of the charge memo, an Enquiry Officer was appointed and enquiry was conducted. Due to pendency of the disciplinary proceedings, services of the petitioner was not regularised. Therefore, the prayer sought for in this writ petition cannot be considered. Thus, the writ petition is devoid of merits and is liable to be dismissed.

5. Accordingly, this Writ Petition stands dismissed. There shall be no order as to costs.

04.09.2023.

Internet : Yes
Index : Yes/No
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G.K.ILANTHIRAIYAN, J.

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To

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