



WEB COPY



WP.No.22292 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.09.2023

CORAM

THE HON'BLE Mr. JUSTICE **G.K.ILANTHIRAIYAN**

W.P. No.22292 of 2012

P.Subramanian

....

Petitioner

Vs

The Special Commissioner,
Treasuries and Accounts Department,
Chennai – 600 015.
Respondent

....

PRAYER: Writ Petition filed under Article 226 of Constitution of India praying to issue Writ of Mandamus directing the respondent to pass orders on the representation dated 02.07.2012, seeking regularisation of the services on completion of 10 years as had been ordered in G.O.Ms.No.22 P & AR dated 28.02.2006 and G.O.No.111, Educational Department dated 09.05.2012 on merits and within a time to be stipulated by this Court.

For Petitioner	:	Mr.L.Chandrakumar
For Respondent	:	Mr.M.Muthusamy Government Advocate

ORDER

This Writ Petition has been filed for direction directing the respondent to consider the representation of the petitioner seeking regularisation of his service on completion of ten years as had been ordered in G.O.Ms.No.22 P & AR, dated 28.02.2006 and G.O.No.111,



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Educational Department, dated 09.05.2012.

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

3. The petitioner was appointed as Sweeper on 01.03.1980. His service was regularised as Office Assistant by the proceedings dated 12.11.2009. As per G.O.Ms.No.22, dated 28.02.2006, the service of the casual labourers who were all discharging duties after ten years of their services was regularised.

4. The learned counsel appearing for the petitioner submitted that the petitioner has put in service from the date of his initial appointment i.e., 01.03.1980. After a period of 29 years, the respondent had brought him into time scale of pay on completion of ten years. Hence, this writ petition.

5. A perusal of the counter filed by the respondent revealed that as per G.O.Ms.No.22, dated 28.02.2006, the services of the daily wages employees working in all Government Departments who have



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rendered ten years of service as on 01.01.2006 be regularised by appointing them in the time scale of pay of the post in accordance with the service conditions. Since, the petitioner was working as a part time employee whose wages were paid through contingencies and not paid on full time daily wages, G.O.Ms.No.22 is not applicable to the petitioner herein. Further, as per G.O.Ms.No.74,dated 27.02.2009, the Government passed revised order with regard to the bringing the employees working on daily wages on regular establishment on completion of 10 years of service as on 01.01.2006 and accordingly, part time casual employees are not entitled for extending the time scale of pay on completion of ten years on part time service.

6. Therefore, the representation submitted by the petitioner cannot be considered and the writ petition is devoid of merits and is liable to be dismissed. Accordingly, this Writ Petition stands dismissed. There shall be no order as to costs.

24.09.2023

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

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To
The Special Commissioner,
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Chennai – 600 015.

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