



WEB COPY



W.P.No.8981 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :26.09.2023

CORAM

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

W.P No.8981 of 2012

R.Dhanapal

....

Petitioner

Vs

1. Govt. of Tamil Nadu,
Represented by
Secretary to Government,
Municipal Administration & Water Supply Department,
Chennai – 600 009.

2. The Director of Town Panchayats,
Chennai.

3. The Assistant Director of
Town Panchayats,
Salem – 636 001.

4. The Executive Officer,
Vennandur Town Panchayat,
Vennandur, Rasipuram Taluk,
Namakkal District.

....

Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to regularise the services of the petitioner as tank Operator / Watchman from April 2002

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and place him in regular time scale of pay from the same date with consequential monetary benefits.

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For Petitioner : Mr.S.Balakrishnan
for Mr.M.Ravi
For Respondents : Mr.L.S.M.Hasan Fizal
Additional Government Pleader

ORDER

This Writ Petition has been filed for direction directing the respondents to regularise the service of the petitioner as Tank Operator from the month of April 1999.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The petitioner is a physically handicapped person and he was initially appointed as Tank Operator in Vennandur Town Panchayat in April 1999 on consolidated salary. Subsequently, the Government issued order in G.O.Ms.No.198, Municipal Administration and Water Supply Department, dated 26.10.1998 prescribing norms for creating posts in Municipalities and Town Panchayats in the Water Supply Wings thereof. Thereafter, the persons,



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who had qualification for appointment in the said post were appointed. As far as the petitioner is concerned, he had joined for a fixed salary of Rs.200 per month. He never worked as consolidated pay labour or daily wages or contingent pay labour. Further no posting for drinking water plan labour in the said Panchayat, since already the persons were working in the said Panchayat.

4. In view of the above, the representation submitted by the petitioner regularisation of service cannot be considered. Thus, 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.

26.09.2023

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

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To

1.The Secretary to Government,
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Chennai – 600 009.

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Chennai.

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