



WEB COPY



W.P.No.17658 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.10.2023

CORAM

THE HONOURABLE MS. JUSTICE R.N.MANJULA

W.P.No.17658 of 2020

V.Selvakumar

... Petitioner

Vs.

1.The Government of Tamil Nadu,
Rep by its Additional Chief Secretary to Government,
Rural Development & Panchayat Raj Department,
Fort St.George, Chennai 600 009.

2.The Director of Rural Development & Panchayat Raj,
Panagal Building,
Saidapet, Chennai 600 015.

3.The District Collector,
Tiruvannamalai District,
Tiruvannamalai.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus to direct the first respondent to regularise the service of the petitioner in the cadre of Junior Assistant from 20.12.2010 and declare successful completion of probation in the cadre of Junior Assistant with all consequential benefits such as revision of scale of pay, arrears of salary, retrospective notional promotion by reckoning the date of appointment of the petitioner as Junior Assistant as



W.P.No.17658 of 2020

20.12.2010.

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For Petitioner : Ms.T.Hemalatha

For Respondents : Mr.G.Nanmaran, Spl.Govt. Pleader

ORDER

This Writ Petition has been filed seeking issuance of Writ of Mandamus to direct the first respondent to regularise the service of the petitioner in the cadre of Junior Assistant from 20.12.2010 and declare successful completion of probation in the cadre of Junior Assistant with all consequential benefits such as revision of scale of pay, arrears of salary, retrospective notional promotion by reckoning the date of appointment of the petitioner as Junior Assistant as 20.12.2010.

2. Heard Ms.T.Hemalatha, learned counsel for the petitioner and Mr.G.Nanmaran, learned Special Government Pleader for the respondents.

3. The petitioner was appointed as Record Clerk in the District Rural Development Training Centre and joined on 29.01.2007. His services were regularised in the post of Record Clerk on 10.11.2009. The



W.P.No.17658 of 2020

petitioner was appointed on transfer of service as Junior Assistant on 20.12.2010. The petitioner has passed all the departmental examination and he need to be sent to Bhavani Sagar Training Institute for training and thereafter, his services in the cadre of Junior Assistant will be regularised. Even though the persons who are juniors to the petitioner were sent to the training and their probation in the cadre of Junior Assistant were regularised, but for the petitioner it has not been done so far. The petitioner has given a representation to the Department for sending him for training to Bhavani Sagar Training Institute.

4. When the matter is taken up today, the learned Special Government Pleader appearing for the respondents submitted that the petitioner has already been sent to the foundation training course to Bhavani Sagar from 19.05.2022 to 05.07.2022 and he also completed the said training on 05.07.2022. He further submitted that the regularisation proposal was sent to the Director of Rural Development and Panchayat Raj through the District Collector, Tiruvannamalai. Since the proposal has been sent to the Government, there is every possibility that the



W.P.No.17658 of 2020

petitioner's regularisation will be done by declaring his probation in the post of Junior Assistant.

5. In such case, the respondents shall consider the representation of the petitioner that his services should be regularised in the cadre of Junior Assistant from 20.12.2010, which in my opinion is very reasonable. Since the same benefit has been extended to those who have joined the service during the same time, the said benefit should also be given to the petitioner as well. Since the Government has already taken the matter for consideration, it is suffice to direct the first respondent to complete its consideration and pass orders within a period of three weeks along with fixation of seniority and pay scale in the cadre of Junior Assistant from 20.12.2010.

6. With the above observations, this Writ Petition is allowed and the first respondent is directed to complete its consideration and pass orders within a period of three weeks from the date of receipt of a copy of this order along with fixation of seniority and pay scale in the cadre of



W.P.No.17658 of 2020

Junior Assistant from 20.12.2010. No costs.

WEB COPY

12.10.2023

Index : Yes

Internet : Yes/No

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WEB COPY



W.P.No.17658 of 2020

R.N.MANJULA, J.

gsk

To

- 1.The Additional Chief Secretary to Government,
The Government of Tamil Nadu,
Rural Development & Panchayat Raj Department,
Fort St.George, Chennai 600 009.
- 2.The Director of Rural Development & Panchayat Raj,
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