



WEB COPY



WP.Nos.21534 & 21535 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR

WP.No.21534 & 21535 of 2022

P.Sivaperumal (Cook)
C.Kalimuthu (Cook)

.. Petitioner in W.P.No.21534 of 2022
.. Petitioner in W.P.No.21535 of 2022

Versus

1.The District Adidraavidar Tribal and Welfare Officer
Ariyalur
Collectorate Campus, Ariyalur

2.The Special Tahsildar
Adi Dravidar Welfare
Ariyalur Taluk and District

.. Respondents in both cases

Prayer in W.P.No.21534 of 2022: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the second respondent, to comply with the direction of the first respondent dated 30.12.2021 in Na.Ka.No.M2/2356/2021 by making appropriate entries in petitioner's service register regarding regularisation of the services of the petitioner from 11.01.1999, his service is Selection Grade Cook from 11.01.2009 and as Special Grade Cook from 11.01.2019 with due salaries for the said posts.

Prayer in W.P.No.21535 of 2022: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the second respondent, to comply with the direction of the first respondent dated 30.12.2021 in Na.Ka.No.M2/2356/2021 by making appropriate entries in petitioner's service register regarding regularisation of the services of the petitioner from 11.01.1999, his service as Selection Grade Cook from 20.01.2005 and as Special Grade Cook from 03.06.2022 said posts.



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For Petitioners : Mr.M.Kalyanasundram, Senior Counsel
for Mr.R.Vasudevan

For Respondents : Mr.P.Baladhandayutham
Special Government Pleader

COMMON ORDER

These writ petitions are filed seeking to direct the second respondent, to comply with the direction of the first respondent dated 30.12.2021 in Na.Ka.No.M2/2356/2021 by making appropriate entries in petitioners' service register regarding regularisation of the services of the petitioners from 11.01.1999, their service as Selection Grade Cook from 11.01.2009 and 20.01.2005 respectively and as Special Grade Cook from 11.01.2019 and 03.06.2022 respectively with due salaries for the said posts.

2. Since, the facts and circumstances of both the cases are identical in nature, they are heard together and disposed of by way of this Common Order.

3. It is the grievance of the writ petitioners that they were appointed as Cook in the hostels runned by Adi Dravidar Welfare Department, Ariyalur District on 11.01.1999 and 20.01.1995 respectively. Further, the first respondent has also passed an Order dated 30.12.2021 in Na.Ka.No.M2/2356/2021 ordering the second respondent that their services as

Cook to be regularised with effect from the date of joining and to admit them



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to General Provident Fund and further directing their services to be regularised as Selection Grade cook and Special Grade Cook. However, the same has not been implemented. Hence, seeks a direction.

4. Heard both sides and perused the materials placed on record.

5. The Counter has been filed by the second respondent in W.P.No.21534 of 2022, wherein, it is the stands of the second respondent that the petitioner has not worked as indicated in the Order dated 30.12.2021 and Service Certificate issued by the then Special Tahsildar, Adi Dravidar Welfare, Ariyalur is not valid one. However, in additional counter filed by the second respondent in W.P.No.21535 of 2022, wherein, they took a stand that a clarification has been sought from the Commissioner, Directorate of Adi-Dravidar Welfare, Chennai with regard to the Order passed by the first respondent dated 30.12.2021 in Na.Ka.No.M2/2356/2021. On receipt of such clarifications, the second respondent will take immediate action in this matter.

6. In additional counter, they have not disputed the service particulars, they only seek a time to implement the Order of the first respondent after getting necessary clarification from the Commissioner, Adi-Dravidar Welfare,



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Chennai. Such view of the matter, the Court directs the second respondent to act based on the clarifications received from the Commissioner to implement the Order of the first respondent dated 30.12.2021 in Na.Ka.No.M2/2356/2021.

7. With the above observation and directions, these writ petition stands disposed of. No costs.

18.08.2023

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Index: Yes/No

Internet: Yes/No

Neutral Citation: Yes/No



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2.The Special Tahsildar
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N.SATHISH KUMAR, J.



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