



W.P.No.19653 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.11.2023

CORAM

**THE HONOURABLE Ms.JUSTICE R.N.MANJULA**

W.P. No.19653 of 2020  
and W.M.P.Nos.24287 of 2020 & 2600 of 2021

1. A.Kaliyappan  
2. A.Nagalingam

...

Petitioners

/vs/

1. The Assistant Director of Town Panchayats,  
Vellore Zone,  
Vellore.

2. The Executive Officer,  
Panappakkam Town Panchayat,  
Ranipet District.

...

Respondents

Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to regularise the services of the petitioners as Sanitary Workers in the second respondent town panchayat against the existing vacancies.

For Petitioners ... Mr.V.Vijay Shankar  
For Respondents ... Mr.P.Sanjai Gandhi  
Govt. Advocate



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### **ORDER**

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The petitioners who are working as Sanitary Workers with the second respondent town panchayat for nearly 15 years and 10 years respectively have filed this petition seeking regularization of services by giving the benefit of G.O.Ms.No.22 Personnel and Administrative Reforms (F) Department dated 28.02.2006.

2. The learned counsel for the petitioners submitted that the petitioners have been allowed to get the Special Time Scale of Pay and as per the benefits conferred under G.O.Ms.No.385 Finance Department dated 01.10.2010; however the respondents have not considered the petitioners for regularization even though they have completed the qualifying 10 years of service as on 01.01.2006.

3. The learned Government Advocate submitted that the petitioners are not directly appointed by the second respondent at any point of time against any sanctioned posts but they are the members of a Self Help Group which has been outsourced for doing solid waste management and hence



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G.O.Ms.No.385 Finance Department, dated 01.10.2010 is not applicable to the petitioners. However, the petitioners claim that they were allowed to get the Special Time Scale of Pay and they are not the employee of any contractor as alleged by the respondents.

4. Considering the facts and circumstances of the case, I feel it is up to the petitioners to substantiate their submission by giving a fresh representation to the respondents that they are being directly paid by the respondents and getting the benefit of G.O.Ms.No.385 Finance Department dated 01.10.2010 and hence they are eligible to be regularized as per G.O.Ms.No.22 Personnel and Administrative Reforms (F) Department dated 28.02.2006. On getting such representation from the petitioners, the respondents shall consider the same in the light of rules governing the regularization and pass appropriate orders within a period of eight weeks from the date of a receipt of representation from the petitioners. No costs. Connected miscellaneous petitions are closed.

**10.11.2023**

Index: Yes / No  
Speaking order / Non-speaking order  
bkn



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**R.N.MANJULA ,J.**

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To:

1. The Assistant Director of Town Panchayats,  
Vellore Zone,  
Vellore.
2. The Executive Officer,  
Panappakkam Town Panchayat,  
Ranipet District.

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