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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 15.12.2023

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THE HONOURABLE MR.JUSTICE V.BHAVANI SUBBAROYAN

WP No.24447 of 2019

M.Dharmaraj

..Petitioner

Vs.

1. The Registrar,
Bharathiar University,
Coimbatore District.

2. The Principal,
Bharathiar University Arts and Science College,
Valparai, Coimbatore District.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for a writ of Mandamus directing the respondent University to consider the case of the petitioner to grant him a regular time scale of pay in the post of Night Watchman and to regularise his service in the post of night watchman from the date of initial appointment regular time scale of pay with arrears.

For Petitioner : Mr.R.Saseetharan



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ORDER

This writ petition has been filed seeking for a direction to the the respondent University to consider the case of the petitioner to grant him a regular time scale of pay in the post of Night Watchman and to regularise his service in the post of night watchman from the date of initial appointment regular time scale of pay with arrears.

2. The case of the petitioner is that he has been working as Night watchmen in the respondent university on consolidated pay for more than a period of seven years. The petitioner worked as Sanitary Worker in the respondent university for a period of five years also on daily wage basis. The respondent university is a statutory body and it imparts education which is the public duty. That being so, the respondent University called for application for the post of Watchman on 29.06.2009 and the petitioner applied for the same. The respondent University called the petitioner for an interview for the post of Watchman and he also attended the interview. Till date, no result has been published. While so,



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the Government of India had issued G.O.Ms.No.385 which provides for payment of Special time scale of pay for sanitary worker for those who had completed three years of service. The petitioner in this regard had made a representation on 07.04.2018 for regular time scale of pay and regularization. Since, no action has been taken by the respondent, the present writ petition has been filed before this Court, seeking for appropriate directions.

3. Heard the learned counsel for the petitioner.

4. Taking into consideration the facts and circumstances of the case and without expressing any opinion on the merits of the case, there shall be a direction to the respondents to consider the representation dated 07.04.2018 on its own merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.



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5. This writ petition is disposed of accordingly. No costs.

15.12.2023

Index:Yes/No

Internet :Yes /No

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V.BHAVANI SUBBAROYAN.,J

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To

1. The Registrar,
Bharathiar University,
Coimbatore District.
2. The Principal,
Bharathiar University Arts and Science College,
Valparai, Coimbatore District.

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