



W.P.No.29842 of 2022

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M.S.RAMESH, J.

This writ petition is listed today under the caption “For Being Mentioned” at the instance of the learned Special Government Pleader.

2. Today when the writ petition is taken up for hearing, learned Special Government Pleader submitted that the first respondent is the authority to consider the representation of the petitioners and therefore, instead of second respondent, first respondent may be directed to dispose of the fresh representation to be given by the petitioners.

3. Considering the submissions made by the learned Special Government Pleader, Paragraph No.7 of the order dated 31.10.2023 is modified as under:

“7. In view of the submission made by the learned counsel for the petitioners, there shall be a direction to the petitioners herein to submit a fresh representation to the first respondent ventilating their grievances. On receipt of the same, the first respondent herein shall dispose of the same, after giving due opportunity to the petitioners, on its own merits and in accordance with law and in the light of the observations made by this Court, within a period of two (2) weeks from the date of receipt of the representation.



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W.P.No.29842 of 2022

M.S.RAMESH, J.

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Registry is directed to make necessary correction and issue fresh order copy.

23.11.2023

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Note: Issue order copy on 24.11.2023

W.P.No.29842 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.10.2023

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THE HONOURABLE MR.JUSTICE M.S.RAMESH

Writ Petition No.29842 of 2022

1.G.Balakrishnan
S/o.Govindasamy

2.S.Sankar
S/o.Samikkannu



W.P.No.29842 of 2022

3.G.Murugan
S/o.Gopal

4.R.Anbalagan
S/o.Ranganathan

...Petitioners

Vs

1.The Secretary to Government,
Revenue and Disaster Management,
Secretariat, Chennai - 600 009.

2.The Principal Secretary/
Commissioner of Revenue Administration,
Revenue Administration,
Chepauk, Chennai - 600 005.

3.The District Collector,
Tiruvannamalai District,
Tiruvannamalai.

4.The Tahsildar,
Chengam Taluk,
Tiruvannamalai District.

5.The Tahsildar,
Tiruvannamalai Taluk,
Tiruvannamalai District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Certiorarified Mandamus calling for the records relevant to the order in Letter No.38327/Service-8(1)/2021-3 dated 16.09.2022 passed by the second respondent and quash the same as illegal, improper, unreasonable, arbitrary and against the principles of natural justice and thereby direct the respondents 1 to 3 to appoint the petitioners as office assistant or any other post in the respondents



W.P.No.29842 of 2022

department by relaxing the upper age limit to the petitioners within a stipulated period of time.

For Petitioners : Mr.Chandrakumar
for Mr.B.Gopalakrishnan

For Respondents : Mrs.V.Yamuna Devi
Special Government Pleader

ORDER

Heard the learned counsel for the petitioners and the learned Special Government Pleader appearing for the respondents.

2. The prayer sought for in this Writ Petition is to quash the proceedings dated 16.09.2022 passed by the second respondent.

3. Though the petitioners had sought for quashing of the order of rejection, the learned counsel for the petitioners would submit that he would be satisfied if the petitioners are granted liberty to submit a representation to the second respondent with a consequential direction to consider the same within a stipulated time.

4. It is brought to the notice of this Court that all the petitioners



W.P.No.29842 of 2022

have been working from the year 2010 onwards with artificial breaks.

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5. The learned counsel for the petitioners submitted that as on date, there are 12 regular vacancies in Tiruvannamalai District to which the petitioners' candidature may be considered for regularisation/appointments.

6. By taking into account the length of petitioners' engagement on temporary basis, from the year 2010 onwards, this Court would express that the respondents might endeavour to accommodate these petitioners in such regular post either by regularization or through fresh appointments.

7. In view of the submission made by the learned counsel for the petitioners, there shall be a direction to the petitioners herein to submit a fresh representation to the second respondent ventilating their grievances. On receipt of the same, the second respondent herein shall dispose of the same, after giving due opportunity to the petitioners, on its own merits and in accordance with law and in the light of the observations made by



W.P.No.29842 of 2022

this Court, within a period of two (2) weeks from the date of receipt of the representation.

This Writ Petition is disposed of with the above direction. No costs.

31.10.2023

Index : Yes/No
Speaking order: Yes/No
Neutral citation: Yes/No
gm

To

1. The Secretary to Government,
Revenue and Disaster Management,
Secretariat, Chennai - 600 009.
2. The Principal Secretary/
Commissioner of Revenue Administration,
Revenue Administration,
Chepauk, Chennai - 600 005.
3. The District Collector,
Tiruvannamalai District,
Tiruvannamalai.
4. The Tahsildar,
Chengam Taluk,
Tiruvannamalai District.
5. The Tahsildar,
Tiruvannamalai Taluk,
Tiruvannamalai District.



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W.P.No.29842 of 2022

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Writ Petition No.29842 of 2022

31.10.2023