



W.P(MD)No.15530 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.03.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.15530 of 2020

and

W.M.P.(MD)No.13043 of 2020

C.Radhakrishnan

Vs.

... Petitioner

- 1.The State of Tamil Nadu,
Rep. By its Secretary,
Rural Development & Panchayat Raj Department,
Secretariat,
Chennai.
- 2.The Director,
Directorate of Rural Development & Panchayat Raj,
Panagal Maligai,
Saidapet,
Chennai-15.
- 3.The District Collector,
O/o. The District Collector Office,
Theni District.
- 4.The Block Development Officer (Block Panchayat),
O/o. The Block Development Office,
Panchayat Union,
Cumbam,
Theni District.



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5.The Commissioner,
Panchayat Union,
Cumbum,
Theni District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to regularize the petitioner's service in the cadre of Office Assistant / Night Watchman taking into consideration of the length of service rendered by the petitioner in pursuant to the proposal submitted by the third respondent vide his proceedings Na.Ka.No.37937/2012/u.va.1, dated 24.12.2012 within a period that may be stipulated by this Court.

For Petitioner : Mr.C.Venkatesh Kumar
for M/s.Ajmal Assocaites

For Respondents : Mr.K.Balasubramani
Special Government Pleader for R1 to R3

: Mr.K.MV.Muthu for R4 & R5

ORDER

Heard the learned counsel on either side.

2. One Thiru.K.Murugesan who is also similarly placed filed W.P. (MD)No.15218 of 2020 seeking regularization. The said writ petition was disposed of on 02.02.2023 in the following terms:-



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“6. The facts in the present case are not in dispute. The petitioner claimed that he entered into service as daily wager in the year 2001 in Panchayat Union Office, Cumbum, Theni District and the fourth respondent has forwarded a proposal for regularisation of service to the third respondent on 29.11.2012 and the third respondent has forwarded the same to the second respondent on 24.12.2012. Since the same was not considered, the petitioner has filed the present writ petition. Whereas, the learned Additional Government Pleader claims that already the Panchayat Union Commissioner, Cumbum rejected the representation of the petitioner on 17.10.2012 and without challenging the same, the petitioner has filed the present writ petition. However, the fact remains that the third respondent has forwarded the proposal to the second respondent on 24.12.2012 and the same was not considered till date and the order dated 17.10.2012 was passed by the Panchayat at Union Commissioner, Cumbum not by the second respondent.

7. In view of the above, this Court directs the second respondent to pass appropriate orders on the recommendation made by the third respondent dated 24.12.2012, within a period of eight weeks from the date of receipt of a copy of this order. ”

3. I am of the view that the present case can also be disposed of on the same lines. The second respondent is directed to pass appropriate order on the recommendation made by the third respondent on 24.12.2012 within a period of eight weeks from the date of receipt of a copy of this order.

4. The Writ Petition is accordingly disposed of. No costs. Consequently, connected miscellaneous petition is closed.

06.03.2023

Index : Yes / No
Internet : Yes/ No
rmi



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G.R.SWAMINATHAN, J.

rmi

To

- 1.The Secretary,
Rural Development & Panchayat Raj Department,
Secretariat,
Chennai.
- 2.The Director,
Directorate of Rural Development & Panchayat Raj,
Panagal Maligai,
Saidapet,
Chennai-15.
- 3.The District Collector,
O/o. The District Collector Office,
Theni District.

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