



W.P.(MD).No.21412 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.09.2023

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD)No.21412 of 2021

and

W.M.P(MD)No.17978 of 2021

A.Karuppiah

... Petitioner

Vs.

1.The Principal Secretary to the Government,
Rural Development and Panchayat Raj Department,
Secretariat, Chennai – 9.

2.The Secretary to the Government,
Human Resources Management Department,
Secretariat, Chennai – 2.

3.The Director of Rural Development &
Panchayat Raj Department,
Panagal Maligai, Chennai.

4.The District Collector,
Madurai District.

5.The Block Development Officer (BP),
Kottampatti Panchayat Union,
Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for records pertaining to the proceedings of first respondent Government letter No.5686.pa.A7/2021-1 dated 17.09.2021 and consequential



W.P.(MD).No.21412 of 2021

communication order of the third respondent dated 06.10.2021 and fourth respondent dated 13.10.2021 and to quash the same and further direct the respondents to declare the probation period completed by the petitioner on 11.04.2020 within a time fixed by this Court.

For Petitioner : Ms.Mahalakshmi
for Mr.V.Manikandan

For Respondents : Mr.N.Muthuvijayan
Special Government Pleader

ORDER

The present Writ Petition has been filed by the petitioner for issuance of a Writ of Certiorarified Mandamus, to quash the proceedings of the first respondent, dated 17.09.2021 and consequential communication order of the third respondent, dated 06.10.2021 and fourth respondent, dated 13.10.2021 and to direct the respondents to declare the probation period completed by the petitioner on 11.04.2020 within a time fixed by this Court.

2.Heard Ms.Mahalakshmi, learned counsel appearing for the petitioner and Mr.N.Muthuvijayan, learned Special Government Pleader appearing for the respondents and perused the materials available on record.



W.P.(MD).No.21412 of 2021

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3.The petitioner was appointed as a hand pump operator in the year 1988 on daily wages in Kottampatti Panchayat Union. After a period of 10 years, he was granted a regular scale of pay for the post of Office Assistant in Kottampatti Panchayat Union Office vide Proceedings dated 14.12.2006. Thereafter, he appeared for five departmental examinations conducted by TNPSC and succeeded in the entire departmental exams in the year 2010. In furtherance to the same, he was promoted as Rural Welfare Officer Grade II in the vacancy which arose at Vadipatti Panchayat Union office, Madurai District through the proceedings of the District Collector dated 25.09.2018 with effect on 12.02.2018. The petitioner's probation period was completed on 11.04.2020. Till date, the fifth respondent has not declared the probation period of the petitioner despite the petitioner having cleared all the departmental exams and having attended 41 days of condensed Foundational Training conducted by the Civil Service Training Institute, Bhavanisagar and has scored 338 marks out of 600. While so, the impugned Government letter dated 17.09.2021 came to be circulated by the first respondent requiring the petitioner and many others to undergo departmental examinations in a new syllabus as mandated in G.O.Ms.No.33, Personal and



W.P.(MD).No.21412 of 2021

Administrative Reforms (M) Department, dated 02.03.2017.

Challenging the same, this Writ Petition came to be filed.

4. When the matter is taken up for hearing today, the learned Special Government Pleader appearing for the respondents has circulated the proceedings of the P.A to the District Collector, dated 10.01.2023 by which the petitioner's probation period has been declared with effect from 13.06.2022 and the subsequent order dated 06.06.2022 by which the petitioner has been promoted to the post of Assistant at Melur Panchayat Union.

5. Recording the same, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

05.09.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes
ps



W.P.(MD).No.21412 of 2021

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To

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W.P.(MD).No.21412 of 2021

L.VICTORIA GOWRI, J.

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W.P.(MD)No.21412 of 2021

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