



W.P.(MD)No. 3646 of 2016

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.02.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No. 3646 of 2016

and

W.M.P(MD)Nos. 3262 to 3264 of 2016

V.Muthukumar

... Petitioner

Vs.

1.The Chief Manager (HRD),
Punjab National Bank,
Circle Office “PNB House”,
Kailasapuram,
Trichy – 620 014.

2. The Manager,
Punjab National Bank,
Tirunelveli Town, Tirunelveli.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of *Writ of Certiorarified Mandamus*, calling for the records relating to the impugned Advertisement, dated 16.12.2015 of the 1st Respondent and to quash the same in so far as recruitment of Part Time Sweepers and direct the Respondents to regularize the Petitioner's service as permanent Part Time Sweeper with all other attendant benefits.



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For Petitioner : M/s.R.Jeya Revathi, for
M/s.J.Ashok

For Respondents : No appearance

ORDER

The petitioner has challenged the impugned advertisement, dated 16.12.2015 with consequential relief to direct the respondents to regularize the petitioner's service as permanent Sweeper with all attendance benefits.

2. The contention of the petitioner is that the respondents through Board proceedings have mandated to give preference for filling up permanent vacancies, by giving preference to the existing workers. The petitioner is working as a temporary part time Sweeper under the 2nd respondent from 01.06.2010 onwards and the petitioner belongs to Scheduled Caste category and is 41 years as on 2016. The petitioner has relied on the Board Proceedings, dated 19.10.1966, where it has been stated that the respondents are mandated to give preference to the existing workers. Since the respondents have not considered the case of the petitioner in the light of Board Proceedings, dated 19.10.1966, the petitioner is before this Court.



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3. At the time of admission this Court has granted an interim order dated 25.02.2016, whereby it is stated any appointment made is subject to the result of the writ petition.

4. Based on the facts and circumstances of the case this Court is of the considered opinion that the petitioner is entitled to be regularized in the light of the Board Proceedings, dated 19.10.1966. In the meanwhile, the respondents are directed to allow the petitioner to continue in the same place until the petitioner's candidature is to be considered for regularizing his service, as per Board Proceedings, dated 19.10.1966.

5. With these directions, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Index : Yes / No
Internet : Yes
ksa

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S.SRIMATHY, J

ksa

**Order made in
W.P.(MD)No. 3646 of 2016**

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