



W.P.(MD).Nos.22969 and 22970 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 15.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)Nos.22969 and 22970 of 2023
and
W.M.P(MD) Nos.19185 and 19193 of 2023

S.Krishnan

... Petitioner
(in W.P(MD) No.22969 of 2023)

R.Malaiarasan

... Petitioner
(in W.P(MD) No.22970 of 2023)

Vs.

1. The State of Tamil Nadu,
Represented by its Principal Secretary to Government,
Revenue and Disaster Management Department,
Secretariat, Chennai – 9.
2. The Commissioner of Revenue Administration,
Office of the Commissioner of Revenue Administration
and Disaster Management,
Ezhilagam, Chennai.
3. The District Collector,
Tirunelveli District,
Tirunelveli.

... Respondents
(in both writ petitions)



W.P.(MD).Nos.22969 and 22970 of 2023

PRAYER in W.P(MD) No. 22969 of 2023: 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 service of the petitioner in the post of Masalchi with effect from the date of initial appointment i.e., 14.07.1994 taking into consideration of his long length of service and by considering the fact that the benefits granted to the respect of similarly placed persons and by considering the petitioner's representation dated 10.08.2023 within the period that may be stipulated by this Court.

PRAYER in W.P(MD) No. 22970 of 2023: 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 service of the petitioner in the post of Masalchi with effect from the date of initial appointment i.e., 09.08.1991 taking into consideration of his long length of service and by considering the fact that the benefits granted to the respect of similarly placed persons and by considering the petitioner's representation dated 23.08.2023 within the period that may be stipulated by this Court.

For Petitioner	: Mr.C.Venkatesh Kumar for M/s.Ajmal Associates (in both writ petitions)
For Respondents	: Mr.T.Villavan Kothai Additional Government Pleader (in both writ petitions)



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COMMON ORDER

The present writ petitions have been filed by two Masalchis, who were appointed on daily wage basis in the first respondent Department. The services of S.Krishnan were regularized in G.O.(Ms) No.19, Revenue Department, dated 11.01.2012 with effect from the date of Government order. The services of R.Malaiarasan were regularized under G.O.(Ms) No.129, Revenue Department, dated 01.03.2011 with effect from the date of Government Order.

2. Both the petitioners are now working as Office Assistant in the above said Department. The petitioners have sent representations to the District Collector on 10.08.2023 and on 23.08.2023 respectively requesting the concerned authority to regularize their services from the date of initial appointment. The District Collector has forwarded the said letters to the Joint Commissioner, Revenue Administration, who in turn, has forwarded the same to the first respondent herein, positively, recommending the case of the petitioners. As on today, the request for regularization of the petitioners from the date of initial appointment is pending before the first respondent.



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

4. Considering the above said facts, the first respondent herein is directed to consider the recommendation of the Joint Commissioner of Revenue Administration, dated 07.12.2011 with regard to the regularization of the writ petitioner from the date of initial appointment on merits and in accordance with law and pass orders within a period of twelve weeks from the date of receipt of a copy of this order.

5. With the above said observations, these Writ Petitions stand disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous petitions stand closed.

15.11.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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- To
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 2. The Commissioner of Revenue Administration,
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R.VIJAYAKUMAR,J.

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