



WEB COPY



W.P.No.20741 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.07.2024

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.20741 of 2015

and

M.P.No.1 of 2015

D.Prabaharan

... Petitioner

Vs.

1.The Secretary

Tamilnadu Government,

Department of Municipal Administration and Water Supply,

Secretariat, Chennai

2.The Commissioner

Municipal Administration,

Ezhilagam Chepauk,

Chennai-5

3.The Commissioner

Thirupur Municipal Corporation,

Thirupur

...Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Certiorarified Mandamus, to call for the records of the 3rd respondent order in Na.Ka.No.2196/2006/C1 dated 18.05.2006 and quash the same and consequently direct the respondents to regularize the petitioners



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service from 27.12.2002 retrospectively in time scale pay and to confer all the benefits within the period stipulated by this Honourable Court.

For Petitioner : M/s.D.Nellaiappan

For Respondents :
(for R1 and R.2) : M/s.V.Jeevagiridharan, AGP

(for R.3) : M/s.Abhishek Murthy

ORDER

The above Writ Petition is filed to call for the records of the 3rd respondent's order in Na.Ka.No.2196/2006/C1 dated 18.05.2006 and quash the same and consequently direct the respondents to regularize the petitioner's service from 27.12.2002 retrospectively in time scale pay and to confer all the benefits within the period stipulated by this Honourable Court.

2. From the perusal of the records and documents available on record, it is seen that the petitioner herein has earlier filed W.P.No.15387 of 2012 seeking a mandamus to regularise his services from 27.12.2002 in the time scale of pay and to confer him with all the



benefits by considering his representation dated 20.04.2012. This is the very same prayer that has now been sought in the instant Writ Petition.

3. The above W.P.No.15387 of 2012 was dismissed by order of this Court dated 27.01.2015 on the ground that the petitioner had not challenged the Office Memorandum dated 17.11.2008 in and by which the claim of the petitioner to grant him time scale pay was rejected. Even in the instant Writ Petition the petitioner has not sought to challenge the said Office Memorandum dated 17.11.2008. That apart, the petitioner's service has also been regularized.

4. In the light of the above, the Writ Petition stands dismissed. No costs. Consequently, the connected Miscellaneous Petition is closed.

09.07.2024

(shr)
Index : Yes/No
Speaking Order: Yes/No
Neutral Citation : Yes/No



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Secretariat, Chennai
- 2.The Commissioner
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Ezhilagam Chepauk,
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P.T. ASHA. J.,

(shr)

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