



W.P.No.34657 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.01.2024

CORAM :

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.34657 of 2012
and MP.No.1 of 2012

T.G.Rajendran

... Petitioner

Vs.

1. The State of Tamil Nadu
Rep.by the Secretary to Government
Revenue Department
Fort St.George, Chennai 9
2. The Director of Survey & Settlement,
Survey House,
Chepauk,
Chennai 600 005.
3. The Assistant Director of
Survey and Land Records
Erode – 11.
4. The District Revenue Officer,
O/o.The District Collector,
Erode District,
Erode.



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5. The District Collector,
Erode District,
Erode.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Certiorari Mandamus to call for the records in pursuant to the impugned order passed by the 2nd respondent in proceeding Pa.Mu.12775/94 dated 29.09.1994 and quash the same and consequently direct the respondents to regularise the period from 01.01.1983 to 10.02.1988 as duty period in the category of Surveyor cum Draughtsman and grant all consequential service and monetary benefits.

For Petitioner : Mr. R.Prem Narayan

For Respondents : Mrs.P.Vijaya Devi
Government Advocate

ORDER

This writ petition has been filed, seeking to call for the records in pursuant to the impugned order passed by the 2nd respondent in proceeding Pa.Mu.12775/94 dated 29.09.1994 and quash the same and consequently direct the respondents to regularise the period from 01.01.1983 to 10.02.1988 as duty period in the category of Surveyor cum Draughtsman and grant all



consequential service and monetary benefits.

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2. The learned counsel appearing for the petitioner submitted that appeal dated 19.11.1994 was rejected by the first respondent pending the writ petition vide G.O.No.(Ms).No.245, Revenue [SS-4(1)] Department, dated 16.06.2014. Hence, he prays that liberty may be given to the petitioner to challenge the said G.O.No.(Ms).No.245, Revenue [SS-4(1)] Department, dated 16.06.2014 by way of filing separate writ petition.

2. Counter affidavit dated 12.12.2015 has been filed by the respondents, wherein, in paragraph No.3, it is stated as under:-

“It is submitted that the first respondent issued orders in G.O.(Ms) No.245, Revenue [SS-4(1)] Department, dated 16.06.2014 stating that the appeal petition dated 19.11.1994 given by the petitioner was examined and based on the prevailing rules, orders in force and available records, has rejected the request of the petitioner to regularise the period from 01.01.1983 to 10.02.1988 as duty, in which he worked on contract basis in consolidated pay on the above period, since trainees and contract employees do not come under the provision of Fundamental Rule / State and Subordinate Service Rules, and leave Rules are also not applicable to them.”

3. In view of the above, the writ petition stands closed with liberty to



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the petitioner to challenge the above said G.O. by way of filing a fresh writ petition. No costs. Connected miscellaneous petition is also closed.

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dpq
Index : Yes/No
Speaking Order : Yes/No



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J. SATHYA NARAYANA PRASAD, J.

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To:

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