



WEB COPY

W.P.No.9891 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2024

CORAM

THE HONOURABLE MR.JUSTICE **D. BHARATHA CHAKRAVARTHY**

W.P.No.9891 of 2024
and WMP.No.10896 of 2024

R. Vasantha

Petitioner

...

-Vs-

1. The Government of Tamil Nadu
Rep.by its Principal Secretary
Rural Development & Panchayat Raj Department,
Fort St.George, Chennai 600 009.
2. The Commissioner of Fisheries and Fishermen Welfare
3rd Floor, Integrated Animal Husbandry and Fisheries Building,
Nandanam, Chennai 600 035.
3. The Director/Commissioner,
Rural Development & Panchayat Raj Department,
Having Office at Panagal Maaligai,
Saidapet, Chennai 600 015.
4. The District Collector,
Office of the Collectorate,
Dharmapuri District.
5. The Commissioner,
Pennagaram Panchayat Union,
Dharmapuri.
6. The Assistant Director,
Fishery and Fishermen Welfare Department,
Dharmapuri.

...

Respondents



Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the authorities to consider the claim of the petitioner for regularisation of service by disposing of the petitioner's representation dated 26.03.2024 in the light of G.O.Ms.No.164 dated 06.12.2023 issued by the 1st respondent in pursuant to the direction issued by the Division Bench of this Court in W.A.No.1458 of 2019 within the time stipulated by this Court.

For Petitioner : Mr.C.T.Mohan
Senior Counsel for
Mr.R.Rameshraj

For Respondents : Mr.C.Jaya Prakash
Government Advocate

ORDER

This writ petition is filed for issuance of a Writ of Mandamus directing the authorities to consider the claims of the petitioner for regularisation of service by disposing of the petitioner's representation dated 26.03.2024 in the light of G.O.Ms.No.164 dated 06.12.2023 issued by the 1st respondent in pursuant to the direction issued by the Division Bench of this Court in W.A.No.1458 of 2019 within the time stipulated by this Court.

2. Even though the writ petition is filed for a direction to the respondents to consider the claim of the petitioner for regularisation of the service, when the matter came up for hearing, the learned Senior Counsel appearing for the



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petitioner submitted that the petitioner was employed as a maintenance worker in the Colour Fish Aquarium and that there is no justification on the part of the respondents to dispense with the service of the petitioner, therefore he seeks that the petitioner's employment should be continued.

3. The learned Government Advocate on written instructions dated 29.04.2024 bearing Na.Ka.No.9390/2024/No.4 submitted that the petitioner was working in the Aquarium. Since the Aquarium was handed over by the local body to the Fisheries Department, the local body did not continue to employ the petitioner. However, on instructions he would submit that said daily wage employee/petitioner would be continued to be provided employment by the Fisheries Department on daily wage basis.

4. Recording the above submission made by the learned Government Advocate that the petitioner would be continued in employment by the Fisheries Department on daily wage basis, this writ petition is disposed of. Needless to mention that in respect of any days of work if the petitioner had performed remains unpaid the same shall be paid by the respondents. No costs. Consequently, connected miscellaneous petition is also closed.

29.04.2024

Index : Yes/No

Speaking order/Non-speaking order



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To

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D. BHARATHA CHAKRAVARTHY, J.

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