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W.P.No.20728 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.07.2024

CORAM

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.20728 of 2024

Neelapathy

.... Petitioner

Vs

1. The Secretary to Government,
Department of Social Welfare,
Government of Tamil Nadu,
Secretariat, Chennai – 600 009.

2. The Commissioner and Director of Social Welfare,
Department of Social Welfare,
Chennai – 600 005.

3. The District Social Welfare Officer,
Cuddalore,
Cuddalore District.

.... Respondents

Prayer:- Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the respondents to regularize the petitioner's service as Helper from the date of her appointment in the light of G.O.Ms.No.22 Personnel and Administrative Reforms (F) Department, dt. 28.02.2006 and to pay arrears of salary with revised time scale of pay arising out of said regularization being arrived on completion of 10 years of service on the basis of the petitioner's representation dated 27.03.2023.



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For Petitioner : Mr.C.Sivanesan

For Respondents : Mr.V.Veluchamy
Additional Government Pleader

ORDER

This writ petition has been filed for direction directing respondents to regularize the petitioner's service from the date of his initial appointment.

2. The petitioner was selected and appointed in the post of Helper by the third respondent in the year 1992. The 2nd respondent by its proceedings dated 09.07.1997, regularised the service of the petitioner as Helper on temporary basis, that too, on consolidated salary in the year 2006. The Government passed G.O.Ms.No.22, Personnel and Administrative Reforms (F) Department, dated 28.02.2006, in which, all the government departments were directed to regularize the service of the daily wage employees, who have completed more than ten years of service as on 01.01.2006. Therefore, the petitioner approached this Court in W.P.Nos.15416 to 15420 of 2011 seeking regularization in the post of Helper.



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3. In fact, similarly placed persons were also filed writ petitions and the same was disposed with a direction and the same was also confirmed by the order of the Hon'ble Division Bench of this Court. Therefore, as per the direction issued by this Court, the Government Order in G.O.Ms.No.17 dated 08.02.2013 by the Social Welfare and Nutritious Meal Programme Department by regularizing the services of the petitioner on completion of his ten years of service as on 01.01.2006. Thereafter, after passing the government order, his service was regularized on completion of ten years of service with the time scale of pay by its order dated 15.03.2019. Therefore, the petitioner submitted representation dated 27.03.2023 to regularize his service from the date of his initial appointment on completion of ten years of service.

4. In view of the above, the respondents are directed to consider the request made by the petitioner dated 27.03.2023 seeking regularization of his service from the date of his appointment on completion of ten years of service within a period of twelve weeks from the date of receipt of copy of this order.



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5. With the above direction, this writ petition is disposed of.

No costs.

25.07.2024

Internet : Yes

Index : Yes/No

Speaking order/Non-speaking order

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To

1. The Secretary to Government,
Department of Social Welfare,
Government of Tamil Nadu,
Secretariat, Chennai – 600 009.

2. The Commissioner and Director of Social Welfare,
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Chennai – 600 005.

3. The District Social Welfare Officer,
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G.K.ILANTHIRAIYAN, J.

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