



W.P.(MD).No.5451 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.01.2024

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.5451 of 2022

and

W.M.P.(MD)No.5802 of 2022

N.Prabakaran

... Petitioner

Vs.

1.The District Collector,
Karur Collectorate Office,
Karur District.

2.The Director,
Town Panchayat,
Dindigul Collectorate Office,
Dindigul District.

3.The Executive Officer,
Puliyur Townpanchayat,
Puliyur Post,
Karur District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India,
praying this Court to issue a Writ of Mandamus, directing the respondents



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forthwith to regularize the petitioner's service as OHT Water supply operator in time scale of pay from the date of completion of 10 years of service i.e., on 28.02.2009 by passing orders on the petitioner's representation dated 17.11.2021 and thereby disburse all monetary benefits to the petitioner.

For Petitioner : Mr.Befi Jearala,
For Mr.N.Edwin Jeyakumar

For R-1 & R-2 : Mr.C.Baskaran
Government Advpcate

For R-3 : Mr.M.Sarangan
Additional Government Pleader

ORDER

The present writ petition has been filed seeking direction to the respondents forthwith to regularize the petitioner's service as OHT Water supply operator in time scale of pay from the date of completion of 10 years of service i.e., on 28.02.2009 by passing orders on the petitioner's representation dated 17.11.2021 and thereby disburse all monetary benefits to the petitioner.

2. The brief facts which are necessary for the disposal of this Writ Petition is as follows:-



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The petitioner joined as a daily wager before the Puliur Town Panchayat at Karur District as a OHT Water supply operator on 28.02.2009. At the time of joining, the petitioner's monthly salary was fixed at Rs.1,000/- (Rupees One Thousand only). Later, it was increased at Rs.8,000/- (Rupees Eight Thousand only). Hence, the petitioner requested the respondents to regularize the service of the petitioner and made a representation in this regard. However, the same was not considered by the respondents. Challenging the same, the present Writ Petition came to be filed.

3. Heard the learned Counsel appearing for the petitioner, the learned Government Advocate appearing for the respondents 1 and 2 and the learned Additional Government Pleader appearing for the 3rd respondent and perused the materials available on record.

4. Mr.M.Sarangan, learned Additional Government Pleader appearing for the 3rd respondent has filed a counter and he vehemently submitted that since the said post was reserved for physically challenged person, one Kamalraj who is a physically challenged person was appointed in the said vacancy. He further



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submitted that the petitioner was appointed only as a part time daily wages based Pump Operator in the 3rd respondent Town Panchayat and he is neither a permanent employee nor a regular employee. In view of the same, he pressed for dismissing the Writ Petition.

5. In view of the above, this Writ Petition is dismissed. The petitioner is at liberty to challenge the appointment. No costs. Consequently, connected miscellaneous petition is closed.

23.01.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
Sml



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L.VICTORIA GOWRI, J.

Sml

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