



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.07.2025

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CORAM

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.No.21413 of 2015

K.Murugesan

... Petitioner

Vs.

1.Government of Tamil Nadu

Represented by Secretary to Government,
Municipal Administration and Water Supply Department,
Secretariat, Chennai – 600 009.

2.The Commissioner of Municipal Administration,
Chepauk, Chennai – 600 005.

3.The Commissioner,
Salem City Municipal Corporation,
Salem.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the first respondent to consider the claim of the petitioner for revision of the date of regularisation of service with effect from 2001, in the light of ratio laid down in W.P.(MD).No.4068 of 2009 dated 08.09.2011.

For Petitioner : Ms.T.Subhiksha for Mr.M.Ravi

For R1 & R2 : Mr.S.Rajesh
Government Advocate.

For R3 : Ms.N.Devi assisted by Mr.V.Parthiban

ORDER



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This writ petition has been filed seeking a writ of mandamus directing the respondents to consider the claim of the petitioner for revision of the date of regularization of service with effect from 2001, in the light of the ratio laid down by Madurai Bench of this Court in W.P.(MD).No.4068 of 2009 dated 08.09.2011.

2. Though the Respondent No.3 has filed a common counter affidavit along with certain other batch of writ petitions, there is nothing stated in the counter affidavit about the claim that is being made by the petitioner as is raised in the present writ petition.

3. The petitioner herein made a request for absorption of his services as Junior Assistant/Typist from 23.02.2006 with all consequential benefits. The said representation submitted by the petitioner is still pending before the Respondent No.1. In the facts and circumstances of this case, this Court is of the considered view that the appropriate authority to consider the request of the petitioner is only the Respondent No.3, but the representation dated 15.10.2014 submitted before the Respondent No.1 is not even shown to have been marked to Respondent No.3.



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4. From the perusal of the said representation, it is also noticed that the claim of the petitioner in the said representation is basing upon an order dated 08.09.2011 passed by Madurai Bench of this Court in W.P.(MD).No. 4068 of 2009. In the considered view of this Court, it would be appropriate to permit the petitioner to make a fresh representation before Respondent No.3 herein, making a fresh claim, if any, subsisting as on date.

5. Accordingly, this writ petition is disposed of permitting the petitioner to make a fresh representation before the 3rd respondent either for absorbing him as Junior Assistant / Typist with effect from 23.02.2006 or for revision of date of regularization of the services of the petitioner with effect from 2001 within a period of six (6) weeks from the date of receipt of a copy of this order. On submission of such representation, the Respondent No.3 shall consider the same and pass appropriate orders thereon, as expeditiously as possible, at any rate, within a further period of eight (8) weeks from the date of submission of representation by the petitioner herein.

6. Accordingly, this writ petition is disposed of. Connected miscellaneous petitions, if any shall stand closed. No costs.



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Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation : Yes / No

To

- 1.The Secretary to Government,
Government of Tamil Nadu
Municipal Administration and Water Supply Department,
Secretariat, Chennai – 600 009.
- 2.The Commissioner of Municipal Administration,
Chepauk, Chennai – 600 005.
- 3.The Commissioner,
Salem City Municipal Corporation,
Salem.

MUMMINENI SUDHEER KUMAR, J.

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