



W.P.No.20716 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.06.2025

CORAM

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.P.No.20716 of 2025

D.Elango

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep By The Secretary to Government,
Municipal Administration and Water Supply Department,
Fort St. George,
Chennai – 600 009.

2.The Commissioner of Municipal Administrative,
Chepauk,
Chennai-600 005.

3.Salem Corporation,
Rep by The Commissioner,
Salem District.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to consider the petitioner representation dated 25.03.2025 for regularize the petitioner service from the date of his initial appointment dated 01.11.1989 and consequently direct the respondents to pay pension and monetary benefits with all consequential benefits and arrears.

For Petitioner

: M/s.S.Esairaninarasimman



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For R1 and R2

: Mr.C.Selvaraj
Additional Government Pleader

For R3

: M/s.N.Devi
Standing Counsel

ORDER

The instant writ petition has been filed with a prayer for issuing a Mandamus, directing the respondents to consider the petitioner representation dated 25.03.2025 for regularize the petitioner service from the date of his initial appointment dated 01.11.1989 and consequently direct the respondents to pay pension and monetary benefits with all consequential benefits and arrears.

2. The learned counsel for the petitioner would submit that he was initially appointed as a Daily Wages Employee in Salem Corporation on 01.11.1989 and during 2003, his service was regularised and he was retired from service on 30.04.2024 after rendering more than 35 years of service. The learned counsel for the petitioner would further submit that though he joined in service on 01.11.1989, the respondents had taken into consideration



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only his date of regularisation for the purpose of calculating the pension. Hence, he has sent a representation on 25.03.2025 claiming regularisation from the date of his initial appointment and such representation is still pending with the respondents.

3. The learned Additional Government Pleader appearing for the respondents 1 and 2 and the learned Standing Counsel appearing for the 3rd respondent would strongly object the above contention and would submit that the contention of the petitioner seeking regularisation from the date of his initial appointment as a Causal Labour cannot be considered in view of the judgments of the Hon'ble Supreme Court in *State of Karnataka and others vs. V.Umadevi and others* reported in *MANU/SC/1918/2006 : AIR 2006 SC 1806* and *Secretary to Government, School Education Department, Chennai vs. Thiru.R.Govindaswamy and others* (C.A.Nos.2726 – 2729 of 2014, dated 21.02.2014).

4. However, the fact remains that the petitioner's representation is still pending with the respondents since 25.03.2025.

5. In such view of the matter, without going into the merits of the writ



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petition, this Court deems it appropriate to direct the respondents to consider the petitioner's representation dated 25.03.2025 and pass orders on it's own merits and in accordance with law, within a period of twelve weeks from the date of receipt of copy of this order.

6. With the above direction, the Writ Petition is disposed of. No costs.

11.06.2025
(3/3)

Index : Yes/No
Speaking Order / Non-Speaking Order
Neutral Citation : Yes/No
dm



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C.KUMARAPPAN, J.

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