



W.P.(MD)No.9138 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.11.2025

CORAM

THE HON'BLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD)No.9138 of 2023

A.Asaithambi

: Petitioner

Vs.

1.The Government of Tamil Nadu,
Rep. by its Secretary to Government,
Transport Department,
Fort St. George,
Chennai – 600 009.

2.The Managing Director,
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Kumbakonam,
Thanjavur District.

3.The General Manager,
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Trichy Region,
Periyamilaguparai,
Trichirappalli District.

: Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 2 and 3 herein to regularize the service of the petitioner from the date of his appointment namely 21.03.2000 and further direct the respondents to pass order to cover the petitioner under the Old Pension Scheme within the time limit fixed by this Court.

For Petitioner : Mr.N.Sudhagar Nagaraj
For Respondent No.1 : Mr.A.Baskaran
Additional Government Pleader
For Respondents 2 & 3 : Mr.S.C.Herold Singh
Standing Counsel

ORDER

The petitioner in this Writ Petition claims that he has not been regularised into service from the date of his original appointment but has been regularised only subsequently. The petitioner has given a representation to the respondents on 16.03.2023, seeking to regularise his service from the date of his original appointment, as according to him, the date of his regularisation under the regularisation order is incorrect.



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2.Counter affidavit has been filed by the respondents denying the contentions of the petitioner and disputing the fact that the petitioner is entitled to be regularised from a much earlier date than the date from which he has been regularised. However, the representation of the petitioner prior to the filing of this Writ Petition has not been considered by the respondents by passing final orders. Since the said representation has not been considered, this Court deems it fit to direct the respondents to consider the petitioner's representation on merits and in accordance with law within a time frame to be fixed by this Court. This Court is not expressing any opinion on the merits of the petitioner's contention or the merits of the objections raised by the respondents in their counter in this Writ Petition.

3.No prejudice will be caused to the respondents if a direction is issued to the respondents to consider the representation of the petitioner seeking to alter the date of regularisation on merits and in accordance with law, within a time frame to be fixed by this Court. Learned Counsel for the petitioner is also satisfied if a direction is issued to the respondents to consider the petitioner's representation on merits and in accordance with law within a time frame to be fixed by this Court.



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4.For the foregoing reasons, this Writ Petition is disposed of, by directing the second respondent to pass final orders on the petitioner's representation dated 16.03.2023, on merits and in accordance with law, seeking for altering the date of his regularisation, within a period of twelve [12] weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

03.11.2025

Index :Yes / No
Internet : Yes / No
NCC : Yes/No
MR



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To
The Secretary to Government,
The Government of Tamil Nadu,
Transport Department,
Fort St. George,
Chennai – 600 009.



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ABDUL QUDDHOSE., J.

MR

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