

PROCEEDINGS OF THE PRINCIPAL DISTRICT JUDGE, TIRUCHIRAPPALLI.

Present: Thiru. S. Kumaraguru, B.L.,  
Principal District Judge,  
Tiruchirappalli.

A.No. 19/2016

Dated: 19.12.2016

Sub: Public Services - T.N.J.M.S - Thiru. R. Venkatesh, S/o. (Late) P. Ramachandran, formerly Junior Bailiff, District Court, Tiruchirappalli - Appointed temporarily as Junior Assistant, on compassionate grounds, Special Court for trial of Cases under Prevention of Corruption Act, Tiruchirappalli - Proposal for regularisation of the services of the individual - Submitted to the Government through the Hon'ble High Court, Madras - Returned for regularising the services - Citing the delegation of powers - Regularisation of Services of the individual - Orders - Issued - Regarding.

- Ref:
1. Application of Tmt. R. Suryakala, W/o. (Late) P. Ramachandran, dated: 10.04.2012.
  2. Application of Thiru. R. Venkatesh, S/o. (Late) P. Ramachandran, dated: 10.04.2012.
  3. Proceedings of this court in A.No. 10/2013, dated: 27.02.2013.
  4. G.O. Ms.No. 225, Labour Department, dated: 15.01.1972.
  5. G.O. Ms. No.23, Labour and Employment, dated: 10.02.1993.
  6. G.O. Ms. No. 120, Labour and Employment Department, dated: 26.06.1995.
  7. G.O. Ms. No. 61, Labour and Employment Dept, dated: 19.07.2006.
  8. G.O. Ms. No. 154, P&AR(P) Department, dated: 19.09.2006.
  9. Letter of the Government in No.19205/Q-1/2010-2, dated: 03.08.2010.
  10. Letter of this court in D.No.3837, dated: 26.05.2014 submitting the proposal for regularising the services of Thiru. R. Venkatesh.
  11. G.O. Ms.No. 235, Labour and Employment (Q-1) department, dated: 26.09.2013.
  12. Letter of the Hon'ble High Court, Madras in ROC No. 1500/2014/C4, dated: 22.11.2016.
  13. G.O. Ms.No. 80, Labour and Employment (Q-1) Department, dated: 02.03.2016.
  14. Office Note of this court, dated: 29.11.2016.

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ORDER:

Thiru. P. Ramachandran, while working as Junior Bailiff, in the Principal District Court, Tiruchirappalli, died on 12.02.2012. Tmt. R. Suryakala, W/o. (Late) P. Ramachandran, the spouse of the deceased nominated her son Thiru. R. Venkatesh, for being provided with provide employment assistance to him on compassionate ground vide her application cited in the reference No.1. Thiru. R. Venkatesh, S/o. (Late) P. Ramachandran submitted an application, dated:

10.04.2012, seeking employment assistance on compassionate grounds due to the sudden demise of his father Thiru. P. Ramachandran.

Based on his application, Thiru. R. Venkatesh, S/o (Late) Thiru. P. Ramachandran, has been appointed temporarily as Junior Assistant on compassionate ground in Category 5 of Class IV of T.N.J.M.S in the time scale of Rs.5200-20200-PB1+GP 2400/- and posted as Junior Assistant in Special Court for trial of cases under Prevention of Corruption Act, Tiruchirappalli, as per the proceedings of this court, in A.No. 10/2013, dated: 27.02.2013, cited in the reference No.3. The individual joined duty on the F.N. of 01.03.2013.

The applicant Thiru. R. Venkatesh has passed X Standard in the year 2005, as per S.S.L.C. No. SEC 2751738, dated: 04.06.2005 and he has passed H.Sc in the year 2008 as per the Certificate No. HSV 0795693, dated: 09.05.2008. The certificates are also declared to be genuine as per the letter of the Joint Director, Directorate of Government Examination, Chennai in D.No. 3779/V8 dated: 21.05.2014, and 039882/V8/2014, dated: 19.06.2014.

His date of Birth is 25.04.1990, and he has completed 18 years of age as prescribed, taking into account the date 10.04.2012, the date of submission of the application, as the crucial date, as enunciated in Government Letter No. 86/Q-1/2010, dated:04.05.2010. The applicant has fulfilled the condition regarding his age as stated in the G.O Ms. No.9, Labour and Employment, dated: 19.01.1998.

His father died on 12.02.2012, and Thiru. R. Venkatesh, S/o. (Late) P. Ramachandran has submitted his application for seeking Employment assistance on 10.04.2012 i.e., within the time limits as enunciated in the G.O. Ms. No. 120, Labour and Employment, dated: 26.06.1995. Tmt. R. Suryakala, who is the widow and spouse of the deceased Government servant, has also nominated the applicant, Thiru. R. Venkatesh for being appointed on compassionate grounds. The younger sister Selvi. R. Saranya, of Thiru. R. Venkatesh has submitted No Objection Certificate regarding the appointment of the applicant on compassionate grounds. A declaration has also been filed by the spouse of the deceased that she would not claim appointment for the daughter of the family.

According to the Integrated Certificate in No.Mu.Mu. A3-3708/2012, dated:15.05.2012, the applicant's family is in indigent condition. The applicant has also furnished a declaration regarding the correctness of the particulars furnished by him in the proforma application as per G.O Ms. No.29, Employment (Services) Department, 07.03.1988. Further, Thiru. R. Venkatesh, has also submitted the



prescribed format containing 18 columns in regard to seeking employment assistance on compassionate grounds.

The proposal for regularisation of the services of the individual has already been submitted to the Hon'ble High Court, Madras for submission to the Government, as per the letter of this court in D.No:3837, dated:26.05.2014. The Government has returned the proposal for regularising the services of Thiru.R. Venkatesh, S/o. (Late) P. Ramachandran to the Hon'ble High Court, Madras vide the letter in No:65907/Cts.V/2015-1, dated:07.04.2016, citing the Government Order in No:80, Labour and Employment (Q-1) Department, dated:02.03.2016, and the Hon'ble High Court, Madras is pleased to return the same to this court, vide the letter in ROC No:1500/2014/C4, dated:22.11.2016, for issuance of proceeding for regularising the services of the individual.

The Government has ordered for regularising the services of the officials, who have already been appointed upto and before 01.02.2016, where there is no need for relaxation of Rules or exemption of Government orders, as per the order in the G.O. No:80, Labour and Employment (Q-1) Department, dated: 02.03.2016 in Paragraph No.6.1. In the case of Thiru. R. Venkatesh, there is no need for relaxation of Rule or exemption of Government Orders, and with reference to the Government Order, it is hereby ordered that the services of Thiru. R. Venkatesh, S/o. P. Ramachandran who has been appointed as Junior Assistant compassionate grounds, be regularised w.e.f. 01.03.2013, the date of his joining in the post of Junior Assistant, subject to the condition that he is physically fit for such appointment, and subject to the concurrence of Tamil Nadu Public Service Commission, Chennai. In view of the retrospective regulation, the individual is eligible to draw the annual increments and arrears of pay and allowances, if any, as per rules.

It is further ordered that the necessary steps be taken in this regard to receive the concurrence of Tamil Nadu Public Service Commission with reference to 16(b) of Tamil Nadu Public Service Commission Regulations, as ordered in G.O. Ms. No.80, Labour and Employment (Q1) Department, dated: 02.03.2016.

It is further ordered that the necessary entries regarding the regularisation of the services of the individual be made in the Service Register of the individual.

The receipt of this proceedings is required to be acknowledged by the Special District Judge, Special District Court to deal with MCOP Cases, Tiruchirappalli.

19.12.16  
Principal District Judge,  
Tiruchirappalli.

Encl: Service Register of the individual.