

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).19171/2008

(From the judgement and order(s) dated 10/04/2008 in WA No.786/2007 of The HIGH COURT OF MADRAS)

DEAN, T.NADU VETERINARY COLLEGE & ANR.

Petitioner(s)

VERSUS

S.ANANDAN & ANR.

Respondent(s)

(With prayer for interim relief and office report)

Date: 04/11/2011

This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE P. SATHASIVAM
HON'BLE MR. JUSTICE JASTI CHELAMESWAR

For Petitioner(s) Mr. R. Nedumaran, Adv.

For Respondent(s) Mr. S.D. Dwarakanath, Adv.
Dr. Kailash Chand, Adv.

Mr. B. Balaji, Adv.

UPON hearing counsel the Court made the following

O R D E R

Heard both sides.

Leave granted.

The appeal is dismissed in terms of the signed order.

[Madhu Bala]
Sr.PA

[Savita Sainani]
Court

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 9365 OF 2011

(@ SPECIAL LEAVE PETITION (CIVIL)NO. 19171 OF 2008)

DEAN, T.NADU VETERINARY COLLEGE & ANR.

...APPELLANTS

VERSUS

S. ANANDAN & ANR.

...RESPONDENTS

O R D E R

Heard both sides.

Leave granted.

On 18.08.2008 while issuing notice at the instance of the appellant - Tamil Nadu Veterinary College, this Court confined the question namely why not the services of the first respondent - workman should be regularized with effect from 12.05.2006.

It is brought to our notice that the first respondent-workman was working with the appellant-Tamil Nadu Veterinary College from 01.04.1977 as a Gardener. When the matter was heard by the learned Single Judge of the High Court, it was brought to the notice about the recommendation of the Warden recommending the case of the first respondent who was working as a Gardener from April, 1977 i.e. 29 years and in the said recommendation the Warden has mentioned that he can be regularized with effect from 26.12.1997. Based on the said information, the Learned Single Judge issued such direction. The said order was confirmed by the Division Bench.

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Taking note of the fact that the first respondent working as a Gardener in the Tamil Nadu Veterinary College Hostel from 01.04.1977 and taking note of the recommendation of the Warden for regularizing his service from 26.12.1997 which was considered and accepted by the Learned Single Judge and the Division Bench of the High Court, we are not inclined to interfere and modify the same at this juncture. Considering the peculiar factual position, we confirm those orders and the appeal is accordingly dismissed.

The appellant-Tamil Nadu Veterinary College is directed to settle all the monetary benefits as directed by the Single Judge and affirmed by the Division Bench within a period of three months from the date of receipt of the copy of this order.

.....J.
[P. SATHASIVAM]

NEW DELHI
4TH NOVEMBER, 2011

.....J.
[JASTI CHELAMESWAR]