

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 03.08.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.23351/2015

M.Satheesan

... Petitioner

Versus

- 1.The Secretary to Government
Government of Tamilnadu
School Education Department
Secretariat, Fort St George,
Chennai 600 009.
 - 2.The Director of School Education
College Road, Nungambakkam,
Chennai-6.
 - 3.The Chief Educational Officer
Villupuram, Villupuram District.
 - 4.The Headmaster
Government Higher Secondary
School, Mel Malayanur 604 204.
- ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, to direct the 2nd respondent herein to send necessary proposal to the 1st respondent and further direct the 1st respondent herein to issue order appointing the petitioner as Office Assistant, on regular basis in the Time Scale of Pay, as has been done in similarly placed and identically situated persons in G.O.Ms.No.231, School Education [E1] Department, dated 04.09.2012 and as directed by this Court in WP.No.20396/2012 order dated 31.07.2012.

For Petitioner : Mr.K.Thennan
For Respondents : Mr.R.Vijayakumar,
Additional Government Pleader

O R D E R

By consent, the writ petition is taken up for final disposal.

2.The petitioner would claim that he belong to Scheduled Caste Community and passed +2 during the year 1992 and got his name registered in the District Employment Exchange, Villupuram on 18.04.1990, bearing Registration No.3279/1990 and his registration was periodically renewed for the past 24 years. The petitioner

would state that on 15.07.1999, he was appointed as Office Assistant in the regular post [Government full time post], through Parent Teachers Association in the Government Higher Secondary School, Mel Malayanur, on a consolidated pay and it was made by invoking the provision under Sub Rule VI of Rule 13 of the Parent Teachers Association Rules vide Resolution of the Executive Committee of the Parent Teachers Association.

3.It is the case of the petitioner that from the year 1999, he was working in the said post of Office Assistant and he is getting a monthly emolument of Rs.3,000/-. The petitioner has submitted enormous representations to the concerned respondents to regularise his service on the pretext that he has put in nearly 16 years of service in the said post. It is also the specific claim of the petitioner that the services of five other persons, who are similarly placed, viz., R.Anandan, M.R.Selvakumar, K.Madharaj, C.Johnson and A.Angayar Kannan, have been regularised and hence, he came forward to file this writ petition.

4.Learned counsel for the petitioner would submit that it would suffice to direct the respondents 1 and 2 to consider and dispose of the petitioner's representation dated 21.01.2014 within the stipulated time.

5.Heard the submissions of Mr.R.Vijayakumar, learned Additional Government Pleader who accepts notice on behalf of the respondents.

6.This Court, taking into consideration the limited scope of prayer sought for by the petitioner and without going into the merits of the same, directs the respondents 1 and 2 to consider and dispose of the petitioner's representation dated 21.01.2014 in accordance with law and pass orders within a period of six weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner herein.

7.The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

AP

To

1.The Secretary to Government
Government of Tamilnadu
School Education Department
Secretariat, Fort St George,
Chennai 600 009.

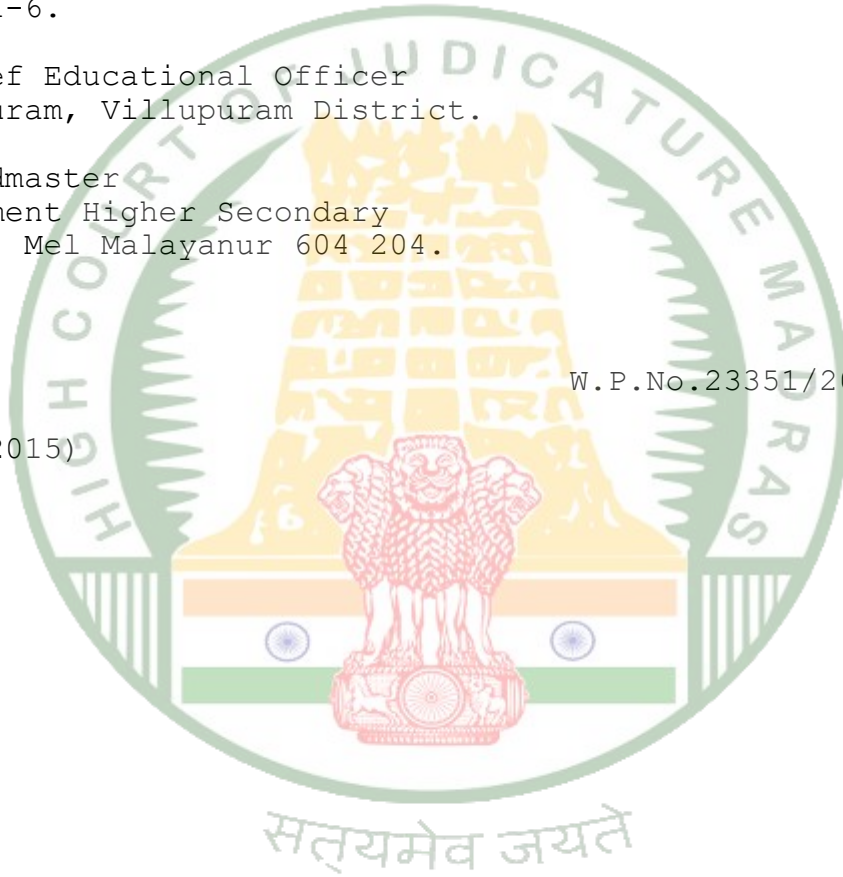
2.The Director of School Education
College Road, Nungambakkam,
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3.The Chief Educational Officer
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4.The Headmaster
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RSK(CO)
EU(18/08/2015)

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