

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.08.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.24499 of 2015

S.Navaneetham

... Petitioner

Vs.

The Director of Elementary Education,
DPI Complex
College Road,
Chennai - 600 006.

... Respondent

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to dispose of the petitioner's representation dated 06.04.2015 within a stipulated time as fixed by this Hon'ble Court.

For Petitioner : Mr.K.Anbarasan

For Respondent : 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 state that she was initially appointed as Secondary Grade Teacher on 31.07.1995 through the selection done by Teacher's Recruitment Board (TRB) and she was allowed to join the service on verification of the original testimonials. It is the claim of the petitioner that she did her Teacher's Course from an Institute located at Karnataka and the respondents were also aware of the same. However, to the shock and surprise of the petitioner, she was removed from service during the year 1997 for the reason that her Teacher Training Course Certificate was not evaluated as the said course was done in the neighbouring State.

3.The petitioner aggrieved by the said order has approached the Tamil Nadu State Administrative Tribunal by filing O.A.No.8102 of 1997 and pending disposal of the same, had the benefit of an interim

order and in compliance of the same, she was reinstated in service. The petitioner also filed O.A.No.2387 of 1989 before the same Tribunal which passed final orders directing payment of salary from the date of initial appointment dated 31.07.1995 till the date of removal on 01.07.1997. The petitioner has approached the respondent through appropriate channel for regularisation of service, for treating the said period as duty period and in this regard, she also submitted a representation dated 06.04.2015 and since no orders have been passed, came forward to file this writ petition.

4.The learned counsel appearing for the petitioner has drawn the attention of this Court to the proceedings of the Additional Assistant Elementary Educational Officer, Mallasamudram dated 03.10.2009 to the District Elementary Educational Officer, Namakkal, wherein necessary proposal has been forwarded for treating the said period as duty period and since no orders were passed, the petitioner was constrained to submit one more representation on 06.04.2015 to the respondent herein and she is yet to be favoured with any kind of response, has come forward to file this writ petition.

5.This Court heard the submissions of Mr.K.Anbarasan, learned counsel appearing for the petitioner and Mr.R.Vijayakumar, learned Additional Government Pleader who accepts notice on behalf of the respondent.

6.This Court taking into consideration the limited scope of the prayer sought for by the petitioner and without going into the merits of the same directs the respondent to consider and dispose of the petitioner's representation dated 06.04.2015 on merits and 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.

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

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

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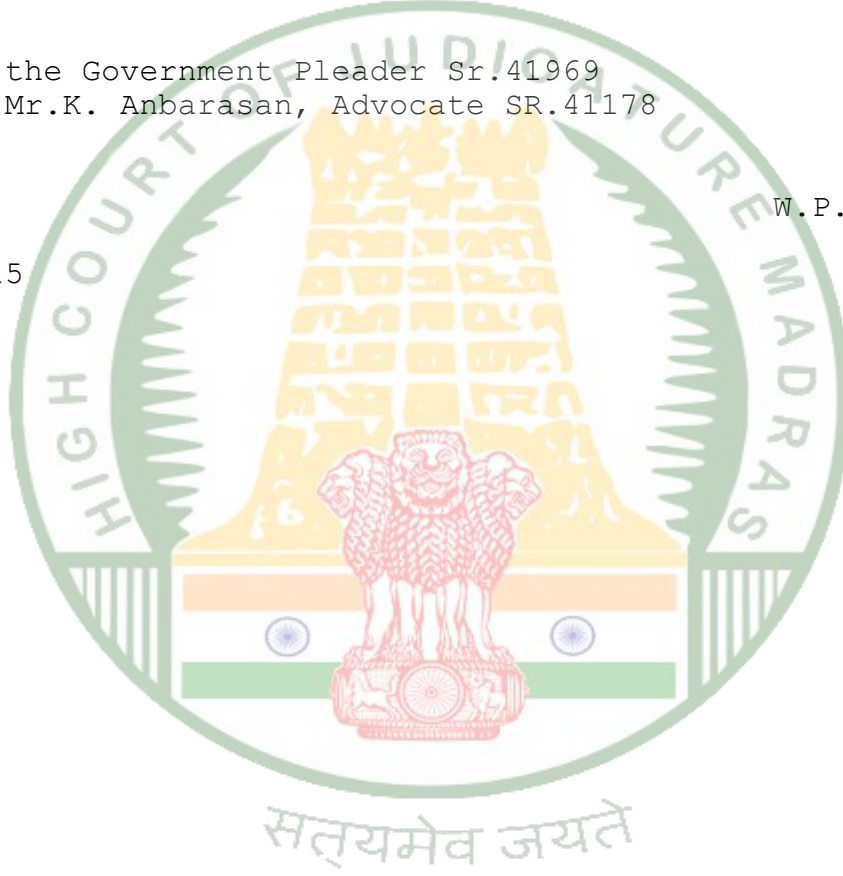
To

The Director of Elementary Education,
DPI Complex
College Road,
Chennai - 600 006.

+ 1 cc to the Government Pleader Sr.41969
+ 1 cc to Mr.K. Anbarasan, Advocate SR.41178

PPA(CO)
EU 26.08.15

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