

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09-09-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.28405 of 2015

S.Mathi Vathani

... Petitioner

Vs

1. The State of Tamil Nadu
Rep. By the Chief Secretary
Education Department
Fort St. George
Chennai 600 009
2. The Director of Elementary Education
Nungambakkam
Chennai 600 006
3. The District Elementary Educational
Officer
Nungambakkam, Chennai 600 006
4. The Assistant Elementary Educational
Officer
George Town, Chennai 600 001
5. The Secretary
Kamala Vinayagar Aided Middle
School
Royapuram, Chennai 600 013.

... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus directing the respondents to regularise the services of the petitioner as Secondary Grade Teacher with effect from the date of appointment i.e., 30.6.2004, in the light of the order passed by the first respondent for similarly placed persons in G.O.Ms.(3D) No.78, School Education (G2) Department, dated 25.5.2012, and G.O.Ms.(3D) No.4, School Education (Ne.V.3(1)) Department, dated 21.1.2015, by considering the representation of the petitioner dated 5.8.2015, within the stipulated period.

For Petitioner : Mr.C.K.M.Appaji

For Respondents : Mr.N.Srinivasan
Additional Government Pleader

ORDER

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

2.The petitioner would state that she is possessing the qualification of Diploma in Teacher Training and based on the proposal of the fifth respondent, the third respondent vide proceedings dated 6.7.2004, appointed her as a Junior Secondary Grade Teacher on a consolidated pay of Rs.3,000/- per month, in terms of G.O.Ms.No.125, School Education (X2) Department, dated 12.11.2003, with effect from 30.6.2004, and as per G.O.Ms.No.120, School Education (VA Che) Department, dated 18.7.2006, persons appointed on consolidated pay in terms of the above said G.O., are entitled for time scale of pay and the third respondent vide proceedings dated 14.9.2006, has accorded time scale of pay to the petitioner with effect from 1.6.2006, and her services were also regularised in the time scale of pay of Rs.4500-125-7500.

3.The grievance expressed by the petitioner, is that her services is to be regularised from the date of appointment and similarly placed persons had filed W.P.Nos.879 of 2006 and 30734 of 2008 and got orders and those orders were also implemented by passing G.O.Ms.(3D) No.78, School Education (G2) Department, and G.O.Ms.(3D) No.4, School Education (Ne.V.3 (1)) Department, dated 25.5.2012 and 21.1.2013 respectively, and in this regard, she has submitted a representation dated 5.8.2015, and since no orders have been passed, came forward to file this writ petition.

4.Heard the submissions of the learned Counsel appearing for the petitioner, and Mr.N.Srinivasan, learned Additional Government Pleader, who accepted notice on behalf of the respondents.

5.Though the petitioner prayed for a larger relief, this Court, in the light of the facts and circumstances, directs the Principal Secretary to Government, Education Department, Secretariat, Fort St. George, Chennai 9, to consider the petitioner's representation dated 5.8.2015, on merits and in accordance with law and pass orders thereon within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

nsv

To:

1. The Chief Secretary
Education Department
Fort St. George
Chennai 600 009
2. The Director of Elementary Education
Nungambakkam
Chennai 600 006
3. The District Elementary Educational
Officer
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Kamala Vinayagar Aided Middle
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Copy to:

The Principal Secretary to Government
Education Department
Secretariat, Fort St. George,
Chennai 600 009.

CNR (CO)
CA(01/10/2015)

W.P.No.28405 of 2015

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