

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.09.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.29978 of 2015

S.Lakshmi

... Petitioner

Vs.

1 The State of Tamil Nadu
Rep by its Secretary to Government School
Education Department Fort St. George
Chennai 9

2 The Director of School
Education College Road Chennai 6

3 The District Elementary
Educational Officer Salem Salem 636 001

4 The Assistant Elementary
Educational Officer Kadaiyampatti Salem
District

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 3rd respondent to regularize the service period of the petitioner from 21.1.1991 to 4.7.1993 and to prepone the Selection Grade in the year 1999 instead of 2000 and thereby calculating to disburse the service benefits and pension by considering the representation of the petitioner dated 18.8.2015 and pass appropriate orders within a time limit to be stipulated by this Honourable Court and pass further suitable orders.

For Petitioner : Mr.S.Vijayan
For Respondents : Mr.V.Subbiah
Special Government Pleader

O R D E R

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

2.The petitioner was initially appointed as Higher Grade Assistant and was promoted as Secondary Grade Assistant on 01.09.2989

and got her selection grade scale of pay on 15.11.2000 and she retired from service on 31.05.2008. The petitioner was transferred and it was put to challenge in O.A.No.1204 of 1991 and though it was stayed, she was not permitted to attend duty and in this regard, she was visited with disciplinary proceedings in the form of charge memo on 13.11.1992 and ultimately, she was terminated from service vide order dated 02.02.1993 and it was put to challenge in O.A.No.2955 of 1993 before the Tamil Nadu Administrative Tribunal and stay was granted based on which she joined the duty on 05.07.1993. The said O.A. was transferred and re-numbered as W.P.No.36705 of 2005 and it was allowed on 13.10.2008.

3.The grievance expressed by the petitioner is that the period of service between 21.01.1991 and 04.07.1993, has not been regularised and in this regard has submitted a representation dated 12.03.2012 followed by another representation dated 18.08.2015 and since no orders have been passed, came forward to file this writ petition.

4.Heard the submissions of Mr.S.Vijayan, learned counsel appearing for the petitioner and Mr.V.Subbiah, learned Special Government Pleader who accepts notice on behalf of the respondents.

5.Though the petitioner prayed for a larger relief, this Court in the light of the above facts and circumstances and without going into the merits of the same, directs the third respondent to consider and dispose of the petitioner's representations dated 12.03.2012 and 18.08.2015 on merits and in accordance with law and pass orders within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

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

Sd/-
Asst.Registrar (CS III)

/true copy/

सत्यमेव जयते

Sub Asst. Registrar

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To

- 1 The Secretary to Government School
Education Department Fort St. George
Chennai 9
- 2 The Director of School
Education College Road Chennai 6

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3 The District Elementary
Educational Officer Salem Salem 636 001

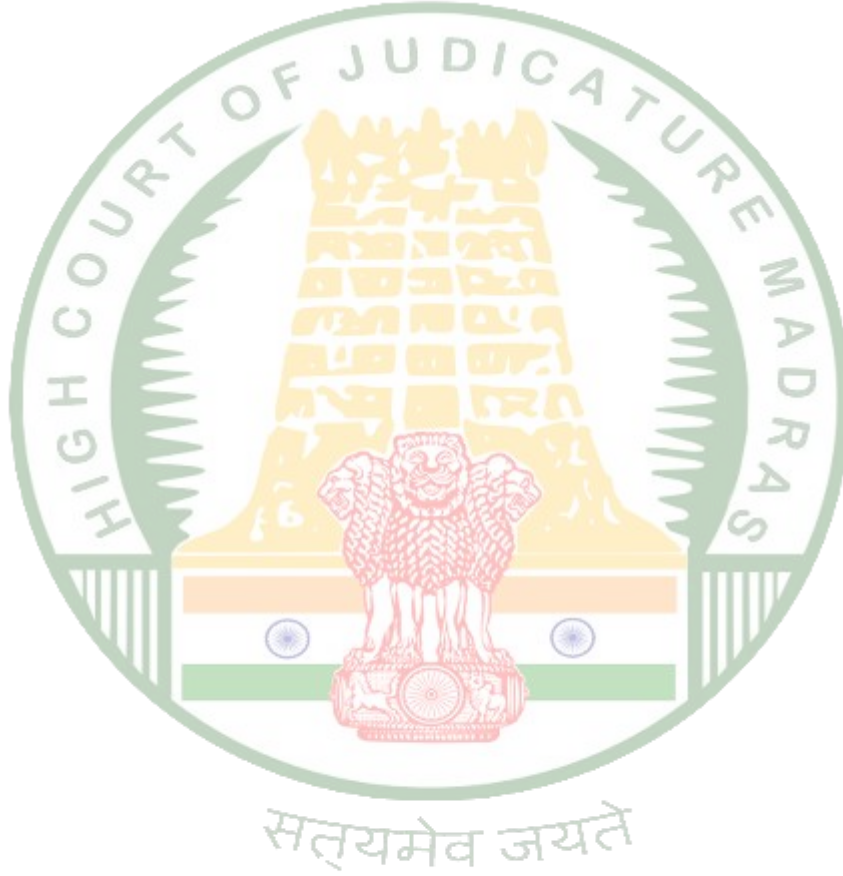
4 The Assistant Elementary
Educational Officer Kadaiyampatti Salem
District

+1 cc to Mr.S.Vijayan, Advocate, sr.52061

+1 cc to The Government Pleader, sr.52186

W.P.No.29978 of 2015

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