

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 06.10.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.31357/2015 & M.P.No.1/2015

K.Bharathy

..Petitioner

Versus

- 1 .The Secretary to Government,
State of Tamil Nadu
School Education Department,
Secretariat, Chennai-600 009.
2. The Director of School Education,
College Road, Nungambakkam,
Chennai-600 006.
3. The District Educational Officer,
Vellore District,
Vellore.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus directing the respondents to regularize the service of the petitioner on the basis of G.O.Ms.No.68, School Education (R.1) Dept., dated 18.04.2013 with all monetary and service benefits as the petitioner's name is included in the Annexure to G.S.Ms.No.68, dated 18.04.2013 with all monetary and service.

For Petitioner : Mr.V.S.Jagadeesan

For Respondents : Mr.V.Subbiah, Spl.GP

ORDER

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

2. The petitioner was selected and appointed as Part Time Sweeper and she joined the service on 01.11.1986 in Government High School, Moonjurpet, Vellore District and claims to continue in that capacity till this date. The petitioner would further state that she was appointed through Employment Exchange and she is discharging her duties as that of the regular employees and further that, she is a widow having three female children and she has also submitted repeated representations for regularisation of her service on the basis of G.O.Ms.No.22, Personnel and Administrative Reforms Department dated 28.02.2006. It is the claim of the petitioner that the 3rd respondent,

based on the above said Government Order, has also sent necessary proposal for regularization of her service and she was informed that in terms of G.O.Ms.No.111, School Education Department, dated 09.05.2012, the services of the Part Time Sweepers who got orders from this Court, alone were regularised and therefore, the petitioner has filed WP.No.24426/2012 and during the pendency of the writ petition, G.O.Ms.No.68, School Education Department dated 18.04.2013 came to be passed regularising the services of the petitioner. The grievance expressed by the petitioner is that in spite of the said Government Order, the regularization has not been done and the petitioner, in this regard, has submitted a representation dated 18.09.2015 to the 2nd respondent and since no orders have been passed, the petitioner came forward to file this writ petition.

3.Learned counsel for the petitioner would submit that since the petitioner is similarly placed, he is entitled to the benefit of G.O.Ms.No.22, Personnel and Administrative Reforms Department dated 28.02.2006 as well as G.O.Ms.No.68, School Education Department dated 18.04.2013 and since it has not been done so far, the petitioner is constrained to approach this Court by filing this writ petition.

4. Heard the submissions of Mr.V.Subbiah, learned Special Government Pleader who accepts notice on behalf of the respondents.

5. Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances, directs the 2nd respondent to consider and dispose of the petitioner's representation dated 18.09.2015 on merits and in accordance with law, after taking note of G.O.Ms.No.68, School Education Department dated 18.04.2013 and pass orders 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.

6. The writ petition is disposed of accordingly. No costs. Consequently connected miscellaneous petition is closed.

AP

Sd/-

Assistant Registrar (CS-III)

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/True Copy/

Sub-Assistant Registrar

To

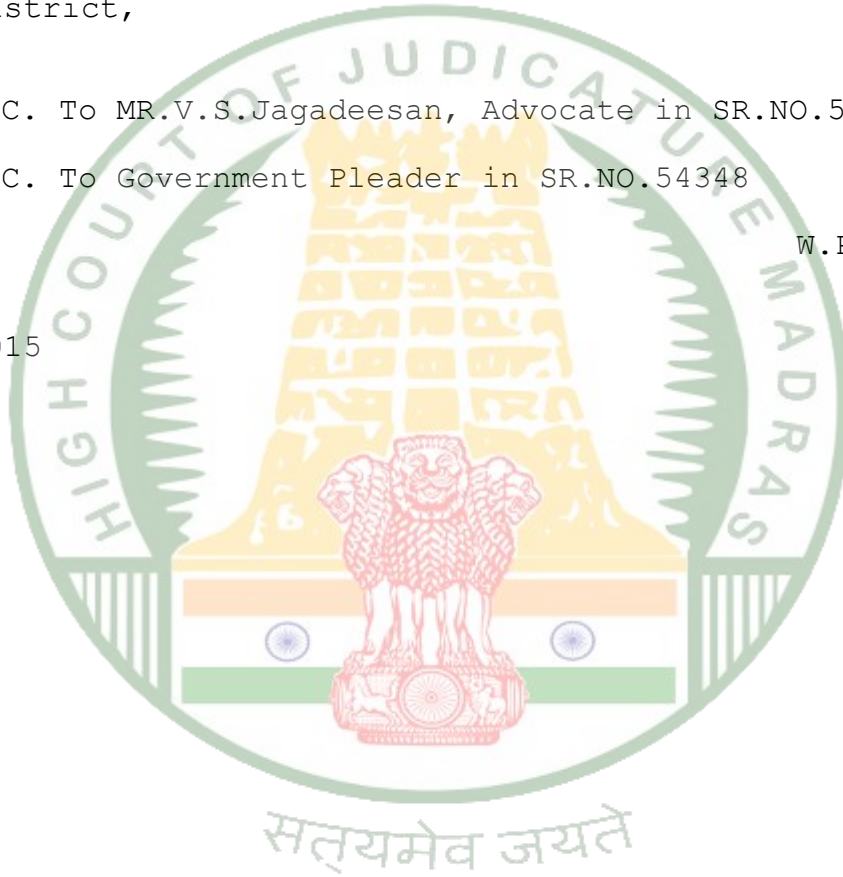
1. The Secretary to Government,
State of Tamil Nadu
School Education Department,
Secretariat, Chennai-9.
2. The Director of School Education,
College Road, Nungambakkam,
Chennai-6.
3. The District Educational Officer,
Vellore District,
Vellore.

+1 C.C. To MR.V.S.Jagadeesan, Advocate in SR.NO.53479

+1 C.C. To Government Pleader in SR.NO.54348

W.P.No.31357/2015

KGK(CO)
sd : 15/10/2015



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