

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.3465 of 2013

and

M.P.No.1 of 2014

R.Komalavalli

... Petitioner

vs.

- 1.The Directorate of School Education,
(Higher Secondary),
College Road,
Chennai - 600 006.
- 2.The State of Tamil Nadu,
Rep. By the Secretary to Government,
Education Department,
Fort St. George,
Chennai - 600 009.
- 3.The Chief Educational Officer,
Vellore,
Vellore District.
- 4.The District Educational Officer,
Vellore,
Vellore District.
- 5.The Headmistress,
Govt. Girls Higher Secondary School,
Ambur 635 802,
Vellore District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus, directing the respondents to regularize the service of the petitioner in the post of Sweeper with effect from the petitioner's initial date of appointment on 01.05.1996, in the regular time scale of pay with all monetary and other service benefits.

For Petitioner : Mrs.S.Thamizharasi
For Respondents : Mr.R.Vijayakumar,
Additional Government Pleader

O R D E R

Heard Mrs.S.Thamizharasi, learned counsel appearing for the petitioner and Mr.R.Vijayakumar, learned Additional Government Pleader appearing for the respondents and with the consent of both parties, this Writ petition is taken up for final disposal.

2. The petitioner seeks for issuance of writ of mandamus, directing the respondents to regularize the service of the petitioner in the post of Sweeper with effect from the petitioner's initial date of appointment on 01.05.1996, in the regular time scale of pay with all monetary and other service benefits.

3. The petitioner has been working as a part time Sweeper at Government Higher Secondary School, Ambur with effect from 01.05.1996 and has been drawing Rs.900/- as wages. The petitioner was appointed to the said post after her name was sponsored by the Employment Exchange. The petitioner now seeks regularization of her service.

4. The learned counsel appearing for the petitioner has drawn the attention of this Court to the orders passed in respect of similarly placed persons in W.P.No.29410 of 2010 dated 23.10.2012 and W.P.No.18125 of 2008 dated 29.07.2008 and also the decision of the Honourable Division Bench of this Court in W.A.No.1520 of 2010 dated 25.10.2010.

5. Considering the nature of relief sought for and taking note of the fact that the petitioner has submitted a representation on 04.01.2013 and as directed by this Court in the earlier writ petition, there will be a direction to the 4th respondent, in the light of decision of the Division Bench of this Court in the case of Director of School Education and others Vs. P.Subramani in W.A.No.1520 of 2010 dated 25.10.2010 and in the case of M.Kumar Vs. The Director of School Education in W.P.No.18125 of 2008 dated 29.07.2008 and also relevant Government Orders which enable to regularise the services, where the person has employed for a long period, pass appropriate orders and submit a necessary proposal to the third respondent for further action in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

With the above direction, this Writ Petition is disposed of.
No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

vsm

To

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1 cc to Government Pleader, Sr. 37431

+1 cc to M/s.S.Thamizharasi, Advocate, sr.37195 (16/07/2015)

W.P.No.3465 of 2013

RJ (CO)
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