

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.01.2016

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.2118 of 2016

R.Ramachandran,
S/o.V.S.Ramasamy,
Gudalur Taluk and Post,
Nilgiris District.

Petitioner

Vs

1 The State of Tamilnadu
Rep. by the Secretary to Government,
Education Department,
Secretariat, Chennai-9.

2 The District Educational Officer,
Coonoor Educational District,
Coonoor-2, Nilgiris District.

3 The Headmaster
Municipality High School,
Kodappamandhu
Stone House Hill Post,
Udhagamandalam-643 002,
Nilgiris District.

Respondents

Prayer: The Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to count 50% of Contingent service as a Full Time Night Watchman rendered by the petitioner from 11.1.84 to 10.1.94 for monetary and service benefits and also for the pensionary benefits.

For Petitioner : Mr.M.Srividhya

For Respondents : Mr.M.L.Mahendran
Government Advocate

O R D E R

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

2. This writ petition is filed for issuance of writ of mandamus directing the respondents to count 50% of Contingent service as a Full Time Night Watchman rendered by the petitioner from 11.1.84 to 10.1.94 for monetary and service benefits and also for the pensionary benefits.

3. The case of the petitioner is that he was appointed as Night Watchman through the employment exchange on 10.01.1984. The petitioner's service was regularised from 10.01.1994 after completion of 10 years of service.

4. According to the petitioner, the respondent has to count 50% contingent service as Full Time Night Watchman. Despite the fact that the petitioner has submitted a representation dated 28.12.2015, the respondents have not passed any orders. Hence, the present writ petition.

5. The learned Government Advocate submitted that there is no proof for giving the representation and the petitioner also has not produced any proof for sending the representation and therefore, he may be permitted to give fresh representation.

6. This Court, considering the submission of the learned counsel on either side and without going into the merits of the case, permits the petitioner to submit one more representation to the respondents by enclosing a copy of this order, within a period of two weeks from the date of receipt of a copy of this order. The respondents, on receipt of the same, is directed to consider the said representation on merits and in accordance with law, within a period of twelve weeks therefrom and communicate the decision taken by him to the petitioner.

The Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

sms

To

- 1 The Secretary to Government,
State of Tamilnadu
Education Department,
Secretariat, Chennai-9.

2 The District Educational Officer,
Coonoor Educational District,
Coonoor-2, Nilgiris District.

3 The Headmaster
Municipality High School,
Kodappamandhu
Stone House Hill Post,
Udhagamandalam-643 002,
Nilgiris District.

1 cc to Government Pleader, Sr. 4067

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