

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2016

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.3410 of 2016

K.Raja

... Petitioner

Vs.

1. The Director of School Education
DPI Campus
College Road
Chennai - 6
 2. The District Educational Officer
O/o. District Educational Officer
Salem.
 3. The Secretary
St. Joseph's High School
Yercaud, Salem 636 601.
- ... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to dispose of the petitioner's representation dated 20.11.2015.

For Petitioner : Mr. K.Anbarasan

For Respondents : Mr. M.L.Mahendran
Government Advocate for RR1 and 2

O R D E R

By consent, the Writ Petition is taken up for final disposal.

2. The petitioner has filed this Writ Petition seeking issuance of a Writ of Mandamus directing the first respondent to dispose of the petitioner's representation dated 20.11.2015.

3. The case of the petitioner is that he was appointed as Secondary Grade Teacher by the third respondent on 05.01.1998.

He joined the service on the same date. The petitioner would further allege that though he was qualified to be appointed as BT Teacher, due to the reason that at the relevant point of time, there was no candidate from among the schedule caste community, except the petitioner, he was appointed as Secondary Grade Teacher.

4. The petitioner would further state that from the date of appointment, he has been continuously working in the third respondent School and he had undergone one month course for Child Pshycological Training and his service was regularised from 05.06.2003, on the date he completed the Child Pshycological Training course.

5. The grievance of the petitioner is that as per G.O.Ms.No. 122 Scheduled Caste and Schedule Tribes Welfare Department dated 12.08.2005, his service has to be regularised from the date of appointment ie., on 05.01.1998. Since the claim was not considered, the petitioner made a representation to the respondents on 20.11.2015 seeking regularisation from the date of initial appointment. Since no order has been passed, the petitioner has come up with the present Writ Petition.

6. This Court heard the submissions Mr.M.L.Mahendran, learned Government Advocate, who accepts notice on behalf of the respondents.

7. This Court, considering the limited prayer sought for in the Writ Petition and without going into merits, directs the first respondent to consider the representation of the petitioner dated 20.11.2015 on merits and in accordance with law and pass orders within a period of twelve weeks from the date of receipt of a copy of this order and communicate the decision taken by him, to the petitioner herein.

8. The Writ Petition is disposed of accordingly. No costs.

vsg

sd

Assistant Registrar (CO)

True copy

Sub Assistant Registrar.

To

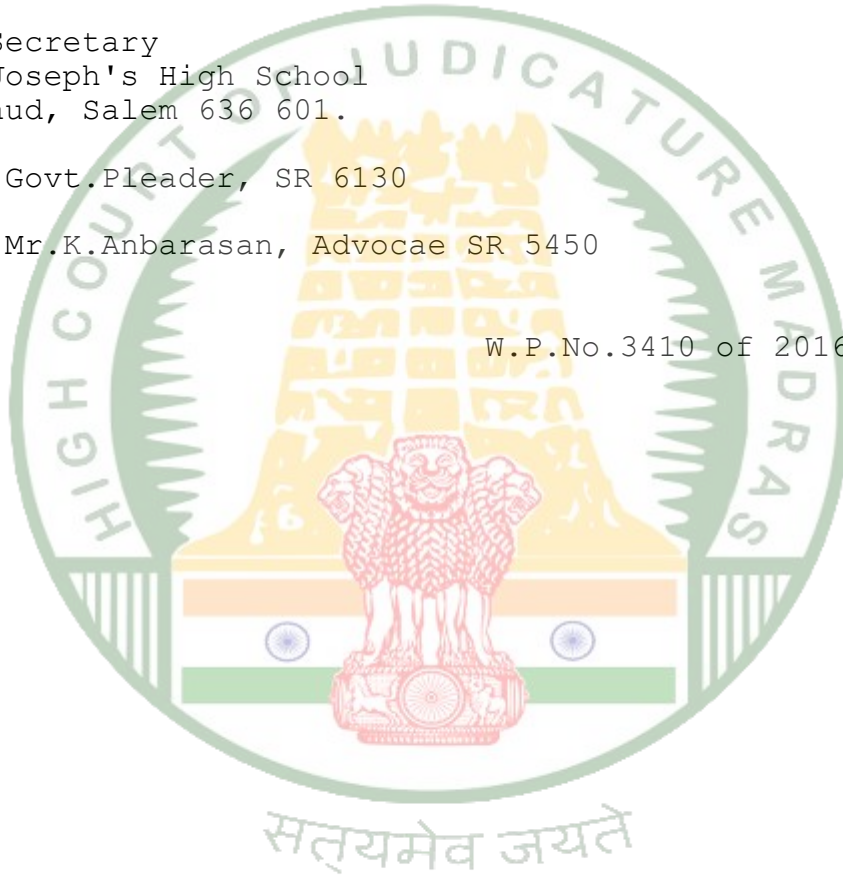
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+ 1 cc to Govt.Pleader, SR 6130

+ 1 cc to Mr.K.Anbarasan, Advocae SR 5450

skv(co)
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