



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.03.2016

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THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P (MD) .No.3554 of 2016

M.REJINAL

.. Petitioner

Vs.

- 1.THE DIRECTOR OF SCHOOL EDUCATION,
DPI CAMPUS,
COLLEGE ROAD, CHENNAI - 600 006.
- 2.THE CHIEF EDUCATIONAL OFFICER,
AT NAGERCOIL, KANYAKUMARI DISTRICT.
- 3.THE DISTRICT ELEMENTARY OFFICER,
THUCKALAI, KANYAKUMARI DISTRICT.
- 4.THE CORRESPONDENT,
L.M.S. HIGHER SECONDARY SCHOOL FOR GIRLS,
NEYOOR, KANYAKUMARI DISTRICT.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus directing the respondents to approve the appointment of the petitioner as sweeper with effect from 24.07.2009 and to grant all monitory and service benefits from the date of appointment by considering the representation dated 05.08.2015.

For Petitioner : Mr.L.Jeen Felix

For Respondents : Mr.TS.Md.Mohideen
Additional Government Pleader

ORDER

The writ petition has been filed for issuance of a Writ of Mandamus directing the respondents to approve the appointment of the petitioner as sweeper with effect from 24.07.2009 and to grant all monitory and service benefits from the date of appointment by



considering his representation, dated 05.08.2015.

2. Heard the learned counsel appearing on either side.

3. The case of the petitioner is that he was appointed as part time sweeper in the vacancy arises due to the promotion of one Pichai Sathiyanesan in L.M.S. Boys Higher Secondary School, Marthandam with effect from 07.08.2006. Thereafter, the petitioner was promoted as part time sweeper with effect from 24.09.2009. Hence, the fourth respondent forwarded a proposal for approval of the petitioner's appointment to the third respondent and the same was returned stating that no clarification was issued by the Government regarding the approval of appointment of the petitioner as full time sweeper. Therefore, the petitioner made an application, dated 05.08.2015, to the respondents 2 and 3 to approve his appointment as full time sweeper. Since the same has not been considered, the petitioner has come up with this writ petition.

4. Considering the grievance of the petitioner, this Court, without going into the merits of the claim of the petitioner, directed the respondents to consider the representation of the petitioner, dated 05.08.2015 and pass orders on merits and in accordance with law, within a period of six weeks from the date of receipt of copy of this order.

5. With the above direction, this writ petition stands disposed of. No costs. Consequently, connected Writ Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(C.O.DEPAR-1/C)

/TRUE COPY/

Sub Assistant Registrar

To

1. THE DIRECTOR OF SCHOOL EDUCATION,
DPI CAMPUS, COLLEGE ROAD, CHENNAI - 600 006.

2. THE CHIEF EDUCATIONAL OFFICER,
AT NAGERCOIL, KANYAKUMARI DISTRICT.

3. THE DISTRICT ELEMENTARY OFFICER,
KANYAKUMARI DISTRICT.



+1cc to M/S.THE SPECIAL GOVERNMENT PLEADER, SR NO: 11845
+1 cc to MR.S.C.Herold Singh, ADVOCATE, SR NO: 11867

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