



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.03.2016

CORAM :

WEB COPY

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

Writ Petition (MD) No.4885 of 2016

M.Alagan

... Petitioner

Vs.

1.The Secretary to Government,
School Education Department,
Fort St., George, Chennai.

2.The Director Elementary Education,
School Education Department,
Chennai.

3.The Joint Director,
Elementary Education,
School Education Department,
Chennai.

4.The District Elementary Educational Officer,
Dindigul District,
Dindigul.

5.The Assistant Elementary Educational Officer,
Vadamadurai, Dindigul District.

6.The Headmaster,
Panchayat Union Middle School,
Sithuvarpatti, Vadamadurai Union,
Vedasandur Taluk,
Dindigul District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the 1st and 2nd Respondents to regularize the petitioners service as full time Pre Vocational Instructor (Craft Teacher) and to pay regular scale of pay with effect from the date the petitioners appointment by giving exemption from possession of qualification of Technical Teachers Certificate in the light of Government Orders in G.O.Ms.No.1529 Education (Pus-1) Department dated 28.09.1988 and G.O.(2D)No.8 School education Department dated 27.11.1999 and G.O.No.199 dated 24.07.2000 by considering the 4th respondent's proposal in Na.ka.No.3067/A4/2014, dated 13.10.2014 within the time stipulated by this Court.

For Petitioner

For Respondents 1-5

: Mr.J.Lawrance

: Mr.R.Anandharaj,
Government Advocate.



ORDER

The petitioner has come up with the above writ petition seeking for the issue of a writ of mandamus, to the respondents 1 and 2 to regularize the petitioner's service as full time Pre Vocational Instructor (Craft Teacher) and to pay regular scale of pay with effect from the date the petitioner's appointment by giving exemption from possession of qualification of Technical Teachers Certificate in the light of Government Orders in G.O.Ms.No.1529 Education (Pus-1) Department dated 28.09.1988 and G.O.(2D)No.8 School education Department dated 27.11.1999 and G.O.No.199 dated 24.07.2000 by considering the 4th respondent's proposal in Na.ka.No.3067/A4/2014, dated 13.10.2014.

2.Heard the learned counsel for the petitioner. Mr.R.Anandharaj, learned Government Advocate takes notice for the respondents 1 to 5.

3.According to the petitioner, the petitioner had earlier filed a writ petition in W.P(MD)No.13135 of 2014 for issuance of writ of mandamus to direct the respondents 1 and 2 to regularize his service as full time Pre Vocational Instructor and to pay regular scale of pay from the date of his appointment. This Court, after considering various Government Orders enabling the petitioner for his entitlement, however without going into the merits of the case, with respect to the relaxation or exemption directed the fourth respondent to take note of the recommendations of the fifth respondent and submit appropriate proposal to the third respondent for appropriate action.

4.It is further submitted that based on the said order, a proposal has been sent to the second respondent on 13.10.2014 which has not been considered so far. Hence, the petitioner has come up with the above writ petition.

5.Considering the above stated facts and circumstances and without expressing any view on the claim made by the petitioner, the writ petition is disposed of directing the second respondent to consider the proposal sent by the fourth respondent dated 13.10.2014 and pass orders on the same, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(RTI)

/True copy/

Sub AssistantRegistrar

To

1.The Secretary to Government,
School Education Department,
Fort St., George, Chennai.



2.The Director Elementary Education,
School Education Department,
Chennai.

3.The Joint Director,
Elementary Education,
School Education Department,
Chennai.

4.The District Elementary Educational Officer,
Dindigul District,
Dindigul.

5.The Assistant Elementary Educational Officer,
Vadamadurai, Dindigul District.

+1cc to M/s.J.Lawarance, Advocate SR.No.13710
+1cc to special Government Pleader Sr.No.13793

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