

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 27.02.2017

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THE HONOURABLE MR. JUSTICE M. SATHYANARAYANAN

WP.No.4799/2017

R.Arasi

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Petitioner

Versus

1 The State of Tamilnadu,
Rep. By the secretary to Government,
Education Department,
Secretariat
Chennai-600009.

2 The Derector of School Education,
(Higher secondary)
College Road,
Chennai-600006.

3 The Chief Educational Officer,
Salem District, Salem.

4 The District Educational Officer,
Salem District, Salem.

..

Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus to direct the respondents to calculate the petitioner's service from the date of initial appointment on 01.03.1986 and sanction all monetary and service benefits payable to the petitioner and consequently fixation of the full pension for completion of more than 30 years of service.

For Petitioner : Mr.M.Rajendiran

For Respondents : Mr.K.Dhananjayan, Spl.GP

ORDER

By consent, the writ petition is taken up for final disposal. Mr.K.Dhananjayan, learned Special Government Pleader accepts notice on behalf of the respondents.

2 The grievance expressed by the petitioner is that though her services were regularised, it was from the date on which she has completed ten years of service and whereas, in respect of one Tmt.Madheswari, Gardener, employed in the Government High School, Kandangkurichi, Salem District, her services were regularised from the date of her initial appointment. The petitioner, in this regard, has submitted representations dated 15.09.2016 and 16.02.2017 respectively to the respondents 2 and 4 and despite receipt and acknowledgment, no orders have been passed, the petitioner came forward to file the present writ petition.

3 The learned counsel for the petitioner would submit that

though the petitioner was appointed on 01.03.1986, her services were

regularised only from 28.02.1996 and the service rendered by her prior to the date of regularisation, has to be taken into consideration for pensionary and other benefits and therefore, prays for appropriate orders.

4 Per contra, Mr.K.Dhananjayan, learned Special Government Pleader appearing for the respondents would submit that the order of regularisation passed in favour of the petitioner, it is a concession extended to her as she cannot demand the same, as a matter of right and prays for dismissal of the writ petition.

5 The Court has considered the rival submissions and also perused the materials placed before it.

6 Though the petitioner has prayed for a larger relief, this Court, in the light of the facts and circumstances and without going into the merits of the claim projected by the petitioner, directs the respondents 2 and 4 to consider and dispose of the petitioner's representations dated 15.09.2016 and 16.02.2017 respectively on merits and in accordance with

law and pass orders within a period of ten weeks from the date of receipt

M. SATHYANARAYANAN, J.,
AP

of a copy of this order and communicate the decision taken, to the petitioner.

7 The writ petition stands disposed of with the above direction. No costs.

27.02.2017

Index : No

Internet : Yes

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To

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