

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.05.2017

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.13282 of 2017 and
W.M.P.No.14279 of 2017

A.Vijayan

... Petitioner

Vs

1. The State of Tamilnadu Rep.by
The Secretary to Government,
Education Department,
Secretariat,
Chennai - 9.
2. The Director of School Education
College Road,
Chennai - 6.
3. The Chief Educational Officer
Vellore District,
Vellore.
4. The District Educational Officer
Vellore District,
Vellore

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to regularize the service of the petitioner with effect from the date of initial appointment in the post of Sweeper and pay monetary benefits with effect from the date of completion of 10 years of the service in the light of the order passed in by this Hon'ble Court in batch of similar matters in W.P.Nos.15774, 12804 and 20399 of 2013.

For Petitioner : Ms.M.Srividhya

For Respondents : Mr.R.Rajeswaran,
Special Government Pleader

O R D E R

Seeking a direction to the respondents to regularize the service of the petitioner with effect from the date of initial appointment in the post of Sweeper and pay monetary benefits with effect from the date of completion of 10 years of the service in the light of the order passed in by this Hon'ble Court in batch of similar matters in W.P.Nos.15774, 12804 and 20399 of 2013, the petitioner is before this Court with this writ petition.

2.Heard the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents.

3.The learned counsel for the petitioner submits that in similar writ petitions in W.P.Nos.15774, 12804 and 20399 of 2013 by order dated 16.02.2017, in paragraph No.11, this Court has passed the following order:-

"11.As such, the petitioners in these writ petitions, who had also put in considerable service as ad hoc appointees on consolidated pay, are entitled to be regularised in the said post. Consequently, the Secretary to Government, Department of Education, Government of Tamil Nadu, Chennai, is hereby directed to regularise the service of the petitioner(s) with effect from 02.03.2012, within a period of six weeks from the date of receipt of a copy of this order."

4.The learned counsel for the petitioner further submits that the petitioner herein is also in the same footing and hence, he is also entitled for the similar relief.

5.The learned Special Government Pleader is not in a position to dispute the same.

6.In view of all the above, the petitioner who had put in considerable service as Part time Sweeper on ad hoc basis on consolidated pay, is entitled to be regularised in the said post. Consequently, the Secretary to Government, Education Department, Chennai, is hereby directed to regularise the service of the petitioner with effect from the date of his initial appointment in the post of Sweeper and grant monetary benefits with effect from the date of completion of 10 years of the service in the light of the order passed in by this Hon'ble Court in batch of similar matters in W.P.Nos.15774, 12804 and

20399 of 2013 dated 16.02.2017, within a period of six weeks from the date of receipt of a copy of this order.

7. With the above direction, the writ petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

jbm/jer
To

1. The Secretary to Government,
Education Department,
Secretariat,
Chennai - 9.
2. The Director of School Education
College Road,
Chennai - 6.
3. The Chief Educational Officer
Vellore District,
Vellore.
4. The District Educational Officer
Vellore District,
Vellore

W.P.No.13282 of 2017

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srg 20/06/2017

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