

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.02.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.3401 of 2017

R.Periasamy

..Petitioner

Vs

1. The Principal Secretary to Government
School Education Department,
Fort St.George, Chennai - 600 009.
2. The Director of Elementary Education,
DPI Campus, College Road,
Chennai - 600 006.
3. The District Elementary Education Officer,
Nagapattinam.
4. The Assistant Elementary Educational officer,
Mayiladuthurai,
Nagapattinam District. ... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the 1st respondent to consider the representation of the petitioner dated 19.03.2016 in the light of G.O.3(D) No.105 School Education (R1) Department dated 18.07.2012

For Petitioner: Mr.R.Prem Narayan

For Respondents: Mr. K.Dhananjayan,
Special Government Pleader.

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O R D E R

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

2. The petitioner was appointed as a Watchman on consolidated pay with effect from 05.03.1984 and continuously worked in that capacity in the Panchayat Union Middle School, Mappadugai, Nagapattinam District and subsequently, appointed as Office Assistant in the Office of the Assistant Elementary Educational Officer, Myladuthurai and as per G.O.Ms.No22 P & A R Department dated 28.02.2006, his service has not been

regularised and hence, he prays for regularisation of service and since it was not considered, he filed W.P.No.25954/2009 and it was also disposed of with positive order. The petitioner would further submit that in terms of G.O.Ms.No. (3D) 33 of the 1st respondent dated 20.03.2012, his service was regularised, however, the monetary benefits were directed to be given only from the date of the Government Order. The petitioner would submit that similarly placed persons have been conferred with the monetary benefits from the date of regularisation. The petitioner would further submit that in the interregnum period, he retired on superannuation on 30.06.2015. The petitioner prays for conferment of monetary benefits from the date of his regularisation. In this regard, he has also submitted a representation dated 19.03.2016. Since no orders have been passed, he came forward to file this writ petition.

5. Though the petitioner prays for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner, directs the respondents to consider the representation of the petitioner dated 19.03.2016 on merits and in accordance with law and pass orders within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner. The writ petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

vsi

To

1. The Principal Secretary to Government
School Education Department,
Fort St.George,
Chennai - 600 009.
2. The Director of Elementary Education,
DPI Campus,
College Road,
Chennai - 600 006.

3. The District Elementary Education Officer,
Nagapattinam.

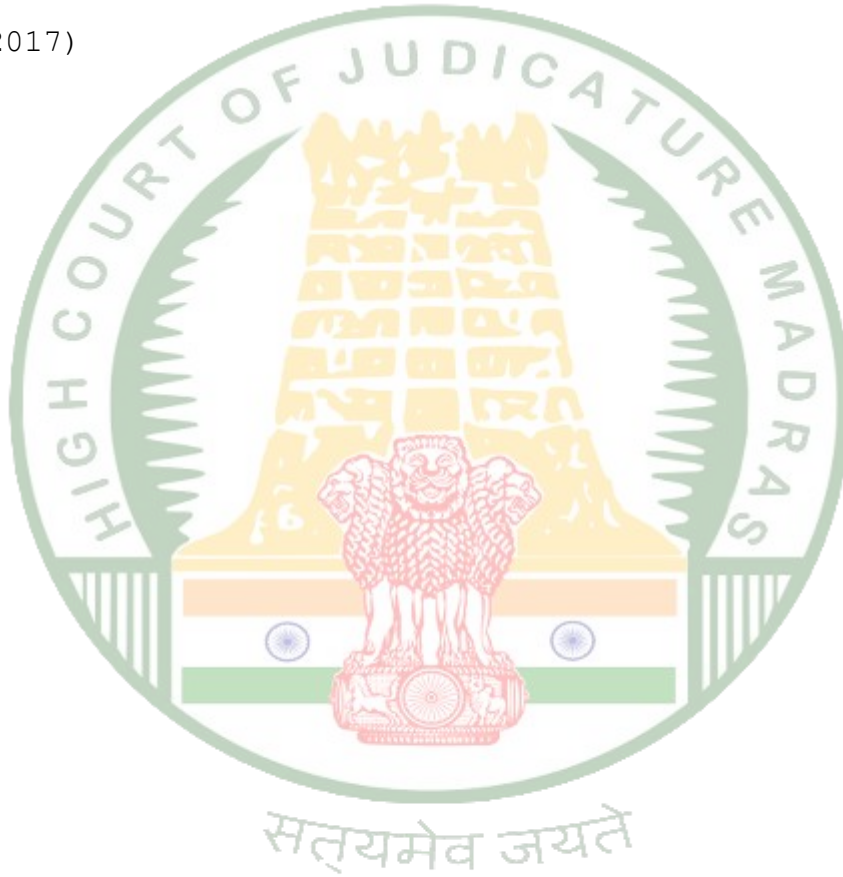
4. The Assistant Elementary Educational officer,
Mayiladuthurai,
Nagapattinam District.

+1cc to Mr.R.Prem Narayan, Advocate sr.8821

+1cc to Government Pleader sr.9204

W.P.No.3401 of 2017

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ss(28/02/2017)



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