

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 06.07.2017

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.Nos.7898 to 7903 of 2015,
W.P.Nos.7118 to 7122 of 2015,
W.P.Nos.7057 to 7061 of 2015,
W.P.Nos.7262 to 7266 of 2015,
W.P.Nos.8992 to 8995 of 2015,
W.P.Nos.6655 to 6659 of 2015,
W.P.Nos.7893 to 7897 of 2015 and
W.P.Nos.6889 to 6893 of 2015

N.KAMALAM D/O.NACHIMUTHU ...PETITIONER in WP No.7898/2015
R.DEIVANAI ...PETITIONER in WP No.7899/2015
N.MANONMANI ... PETITIONER in WP No.7900/2015
M.SARAVANAN ... PETITIONER in WP No.7901/2015
T.SARAVANAKUMAR ... PETITIONER in WP No.7902/2015
R.VASANTHI ... PETITIONER in WP No.7903/2015
G.T.JEBASHEELA ... PETITIONER in WP No.7118/2015
S.PREMA D/O.SAMUEL ... PETITIONER in WP No.7119/2015
M.REEDA ANANTHI ... PETITIONER in WP No.7120/2015
T.SANTHI D/O.THANGAIAH .. PETITIONER in WP No.7121/2015
G.SEEMATTI D/O.GANAPATHY ... PETITIONER in WP No.7122/2015
M.NATARAJAN ... PETITIONER in WP No.7057/2015
N.NATTARAYAN ... PETITIONER in WP No.7058/2015
S.SEKAR ... PETITIONER in WP No.7059/2015
T.SUNAREBEE ... PETITIONER in WP No.7060/2015
S.VIJAYAKUMAR ... PETITIONER in WP No.7061/2015
S.ARULRAJ ... PETITIONER in WP No.7262/2015

A.SARANYA ... PETITIONER in WP No.7263/2015
P.SARASWATHI ... PETITIONER in WP No.7264/2015
S.SUVATHINI ... PETITIONER in WP No.7265/2015
M.TAMIL SELVI ... PETITIONER in WP No.7266/2015
S.KARTHIKEYAN
S/O.SEVANTHIVEL ... PETITIONER in WP No.8992/2015
R.RAJAMUGAMATHI ... PETITIONER in WP No.8993/2015
R.RUBY ... PETITIONER in WP No.8994/2015
M.YAMINI PRIYADHARSHINI ... PETITIONER in WP No.8995/2015
S.JALENDRAN ... PETITIONER in WP No.6655/2015
G.JAGANATHAN ... PETITIONER in WP No.6656/2015
V.PALANISAMY ... PETITIONER in WP No.6657/2015
M.P.PARTHIBAN ... PETITIONER in WP No.6658/2015
M.K.SUMATHI ... PETITIONER in WP No.6659/2015
K.RANI ... PETITIONER in WP No.7893/2015
C.MANI ... PETITIONER in WP No.7894/2015
P.MAHESWARI ... PETITIONER in WP No.7895/2015
V.SHANTHI ... PETITIONER in WP No.7896/2015
M.VIJAYALAKSHMI ... PETITIONER in WP No.7897/2015
K.KRISHNAVENI ... PETITIONER in WP No.6889/2015
S.SARAVANAN ... PETITIONER in WP No.6890/2015
A.SARASWATHI ... PETITIONER in WP No.6891/2015
R.PREMALATHA ... PETITIONER in WP No.6892/2015
P.RAJU ... PETITIONER in WP No.6893/2015

-Vs-

- 1 THE GOVERNMENT OF TAMILNADU
REP. BY ITS SECRETARY TO GOVERNMENT SCHOOL
EDUCATION DEPARTMENT FORT ST. GEORGE
CHENNAI-600 009.
- 2 THE DIRECTOR OF ELEMENTARY
EDUCATION COLLEGE ROAD CHENNAI-600 006.
- 3 THE DISTRICT ELEMENTARY
EDUCATIONAL OFFICER TIRUPPUR DISTRICT
TIRUPPUR.
- 4 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER DHARAPURAM PANCHAYAT
UNION DHARAPURAM MULANUR DISTRICT.
... RESPONDENTS in WP No.7898 to
7903, 7057 to 7061 of 2015

- 1 THE GOVERNMENT OF TAMIL NADU
REP. BY ITS SECRETARY TO GOVERNMENT SCHOOL
EDUCATION DEPARTMENT FORT ST. GEORGE
CHENNAI-9.
- 2 THE DIRECTOR OF ELEMENTARY
EDUCATION COLLEGE ROAD CHENNAI-6.
- 3 THE DISTRICT ELEMENTARY
EDUCATIONAL OFFICER TIRUPPUR DISTRICT
TIRUPPUR.
- 4 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER DHARAPURAM PANCHAYAT
UNION DHARAPURAM TIRUPPUR DISTRICT.
... RESPONDENTS in WP No.7118 to
7122, 7262 to 7266, 8992 to 8995 ,
6655 to 6659, 7893 to 7897 , 6889
to 6889 of 2015

For Petitioners in all Wps. :Mr.A.S.Kaizer

For Respondents in all Wps. :Mr.P.Sanjay Gandhi
Addl. Govt. Pleader

PRAYER:

WP No.7898 of 2015

Directing the 1st respondent to dispose of the petitioners representation dated 26.11.2014, (which was given to the 1st respondent praying for regularisation of the petitioners services in post of Secondary Grade Assistant Teacher with effect for the date of the petitioners initial appointment on consolidated pay i.e. on 27.10.2004 with consequential service and monetary benefits with arrears of pay) in the light of the G.O.(3D). No.78, School Education (G-2) Department, dated 25.05.2012, G.O.(3D), No.35, School Education (Nee.Va.3(1) Department dated 10.4.2014 and also the latest G.O.(3D) No.4, School Education (Nee.Va.3(1) Department, dated 21.01.2015 and on merits within a time frame stipulated by this Honourable Court.

WP No.7899 of 2015

Directing the 1st respondent to dispose of the petitioners representation dated 25.11.2014, (which was given to the 1st respondent praying for regularisation of the petitioners services in post of Secondary Grade Assistant Teacher with effect for the date of the petitioners initial appointment on consolidated pay i.e. on 27.10.2004 with consequential service and monetary benefits with arrears of pay) in the light of the G.O.(3D). No.78, School Education (G-2) Department, dated 25.05.2012, G.O.(3D), No.35, School Education (Nee.Va.3(1) Department dated 10.4.2014 and also the latest G.O.(3D) No.4, School Education (Nee.Va.3(1) Department, dated 21.01.2015 and on merits within a time frame stipulated by this Honourable Court.

WP No.7900 of 2015

Directing the 1st respondent to dispose of the petitioners representation dated 25.11.2014, (which was given to the 1st respondent praying for regularisation of the petitioners services in post of Secondary Grade Assistant Teacher with effect for the date of the petitioners initial appointment on consolidated pay i.e. on 19.12.2005 with consequential service and monetary benefits with arrears of pay) in the light of the G.O.(3D). No.78, School Education (G-2) Department, dated 25.05.2012, G.O.(3D), No.35, School Education (Nee.Va.3(1) Department dated 10.4.2014 and also the latest G.O.(3D) No.4, School Education (Nee.Va.3(1) Department, dated 21.01.2015 and on merits within a time frame stipulated by this Honourable Court.

WP No.7901 of 2015

Directing the 1st respondent to dispose of the petitioners

representation dated 26.11.2014, (which was given to the 1st respondent praying for regularisation of the petitioners services in post of Secondary Grade Assistant Teacher with effect for the date of the petitioners initial appointment on consolidated pay i.e. on 27.10.2004 with consequential service and monetary benefits with arrears of pay) in the light of the G.O.(3D). No.78, School Education (G-2) Department, dated 25.05.2012, G.O.(3D), No.35, School Education (Nee.Va.3(1) Department dated 10.4.2014 and also the latest G.O.(3D) No.4, School Education (Nee.Va.3(1) Department, dated 21.01.2015 and on merits within a time frame stipulated by this Honourable Court.

WP No.7902 of 2015

Directing the 1st respondent to dispose of the petitioners representation dated 27.11.2014, (which was given to the 1st respondent praying for regularisation of the petitioners services in post of Secondary Grade Assistant Teacher with effect for the date of the petitioners initial appointment on consolidated pay i.e. on 27.10.2004 with consequential service and monetary benefits with arrears of pay) in the light of the G.O.(3D). No.78, School Education (G-2) Department, dated 25.05.2012, G.O.(3D), No.35, School Education (Nee.Va.3(1) Department dated 10.4.2014 and also the latest G.O.(3D) No.4, School Education (Nee.Va.3(1) Department, dated 21.01.2015 and on merits within a time frame stipulated by this Honourable Court.

WP No.7903 of 2015

Directing the 1st respondent to dispose of the petitioners representation dated 27.11.2014, (which was given to the 1st respondent praying for regularisation of the petitioners services in post of Secondary Grade Assistant Teacher with effect for the date of the petitioners initial appointment on consolidated pay i.e. on 5.1.2005 with consequential service and monetary benefits with arrears of pay) in the light of the G.O.(3D). No.78, School Education (G-2) Department, dated 25.05.2012, G.O.(3D), No.35, School Education (Nee.Va.3(1) Department dated 10.4.2014 and also the latest G.O.(3D) No.4, School Education (Nee.Va.3(1) Department, dated 21.01.2015 and on merits within a time frame stipulated by this Honourable Court.

WP No.7118 of 2015

Directing the 1st Respondent to dispose of the petitioner representation dated 26.11.2014, (which was given to the 1st Respondent praying for regularisation of the petitioner services in post of Secondary Grade Assistant Teacher with effect from the date of the petitioner initial appointment on consolidated pay i.e. on 27.10.2004 with consequential

service and monetary benefits with arrears of pay) in the light of the G.O.(3D).No.78, School Education (G-2) Department, dated 25.05.2012, G.O.(3D).No.35, School Education (Nee.Va.3(1)) Department dated 10.04.2014 and also the latest G.O.(3D).No.4, School Education (Nee.Va.3(1)) Department, dated 21.01.2015 and on merits within a time frame stipulated by this Honourable Court.

WP No.7119 of 2015

Directing the 1st Respondent to dispose of the petitioner representation dated 25.11.2014, (which was given to the 1st Respondent praying for regularisation of the petitioner services in post of Secondary Grade Assistant Teacher with effect from the date of the petitioner initial appointment on consolidated pay i.e. on 17.11.2004 with consequential service and monetary benefits with arrears of pay) in the light of the G.O.(3D).No.78, School Education (G-2) Department, dated 25.05.2012, G.O.(3D).No.35, School Education (Nee.Va.3(1)) Department dated 10.04.2014 and also the latest G.O.(3D).No.4, School Education (Nee.Va.3(1)) Department, dated 21.01.2015 and on merits within a time frame stipulated by this Honourable Court.

WP No.7120 of 2015

Directing the 1st Respondent to dispose of the petitioner representation dated 25.11.2014, (which was given to the 1st Respondent praying for regularisation of the petitioner services in post of Secondary Grade Assistant Teacher with effect from the date of the petitioner initial appointment on consolidated pay i.e. on 08.12.2004 with consequential service and monetary benefits with arrears of pay) in the light of the G.O.(3D).No.78, School Education (G-2) Department, dated 25.05.2012, G.O.(3D).No.35, School Education (Nee.Va.3(1)) Department dated 10.04.2014 and also the latest G.O.(3D).No.4, School Education (Nee.Va.3(1)) Department, dated 21.01.2015 and on merits within a time frame stipulated by this Honourable Court.

WP No.7121 of 2015

Directing the 1st Respondent to dispose of the petitioner representation dated 25.11.2014, (which was given to the 1st Respondent praying for regularisation of the petitioner services in post of Secondary Grade Assistant Teacher with effect from the date of the petitioner initial appointment on consolidated pay i.e. on 26.11.2004 with consequential service and monetary benefits with arrears of pay) in the light of the G.O.(3D).No.78, School Education (G-2) Department, dated 25.05.2012, G.O.(3D).No.35, School Education (Nee.Va.3(1)) Department dated 10.04.2014 and also the latest G.O.(3D).No.4, School Education (Nee.Va.3(1))

Department, dated 21.01.2015 and on merits within a time frame stipulated by this Honourable Court.

WP No.7122 of 2015

Directing the 1st Respondent to dispose of the petitioner representation dated 27.11.2014, (which was given to the 1st Respondent praying for regularisation of the petitioner services in post of Secondary Grade Assistant Teacher with effect from the date of the petitioner initial appointment on consolidated pay i.e. on 27.10.2004 with consequential service and monetary benefits with arrears of pay) in the light of the G.O.(3D).No.78, School Education (G-2) Department, dated 25.05.2012, G.O.(3D).No.35, School Education (Nee.Va.3(1)) Department dated 10.04.2014 and also the latest G.O.(3D).No.4, School Education (Nee.Va.3(1)) Department, dated 21.01.2015 and on merits within a time frame stipulated by this Honourable Court.

WP No.7057 of 2015

Directing the 1st respondent to dispose of the petitioners representation dated 24.11.2014, (which was given to the 1st respondent praying for regularisation of the petitioners initial services in post of Secondary Grade Assistant Teacher with effect fro the date of the petitioners initial appointment on consolidated pay i.e. on 27.10.2004 with consequential service and monetary benefits with arrears of pay) in the light of the G.O.(3D). No.78, School Education (G-2) Department, dated 25.05.2012, G.O.(3D), No.35, School Education (Nee.Va3(1) Department dated 10.4.2014 and also the latest G.O.(3D) No.4, School Education (Nee.Va.3(1) Department, dated 21.01.2015 and on merits.

WP No.7058 of 2015

Directing the 1st respondent to dispose of the petitioners representation dated 24.11.2014, (which was given to the 1st respondent praying for regularisation of the petitioners initial services in post of Secondary Grade Assistant Teacher with effect fro the date of the petitioners initial appointment on consolidated pay i.e. on 27.10.2004 with consequential service and monetary benefits with arrears of pay) in the light of the G.O.(3D). No.78, School Education (G-2) Department, dated 25.05.2012, G.O.(3D), No.35, School Education (Nee.Va3(1) Department dated 10.4.2014 and also the latest G.O.(3D) No.4, School Education (Nee.Va.3(1) Department, dated 21.01.2015 and on merits.

WP No.7059 of 2015

Directing the 1st respondent to dispose of the petitioners representation dated 24.11.2014, (which was given to the 1st respondent praying for regularisation of the petitioners

initial services in post of Secondary Grade Assistant Teacher with effect from the date of the petitioners initial appointment on consolidated pay i.e. on 27.10.2004 with consequential service and monetary benefits with arrears of pay) in the light of the G.O.(3D). No.78, School Education (G-2) Department, dated 25.05.2012, G.O.(3D), No.35, School Education (Nee.Va3(1) Department dated 10.4.2014 and also the latest G.O.(3D) No.4, School Education (Nee.Va.3(1) Department, dated 21.01.2015 and on merits.

WP No.7060 of 2015

Directing the 1st respondent to dispose of the petitioners representation dated 24.11.2014, (which was given to the 1st respondent praying for regularisation of the petitioners initial services in post of Secondary Grade Assistant Teacher with effect from the date of the petitioners initial appointment on consolidated pay i.e. on 27.10.2004 with consequential service and monetary benefits with arrears of pay) in the light of the G.O.(3D). No.78, School Education (G-2) Department, dated 25.05.2012, G.O.(3D), No.35, School Education (Nee.Va3(1) Department dated 10.4.2014 and also the latest G.O.(3D) No.4, School Education (Nee.Va.3(1) Department, dated 21.01.2015 and on merits.

WP No.7061 of 2015

Directing the 1st respondent to dispose of the petitioners representation dated 24.11.2014, (which was given to the 1st respondent praying for regularisation of the petitioners initial services in post of Secondary Grade Assistant Teacher with effect from the date of the petitioners initial appointment on consolidated pay i.e. on 27.10.2004 with consequential service and monetary benefits with arrears of pay) in the light of the G.O.(3D). No.78, School Education (G-2) Department, dated 25.05.2012, G.O.(3D), No.35, School Education (Nee.Va3(1) Department dated 10.4.2014 and also the latest G.O.(3D) No.4, School Education (Nee.Va.3(1) Department, dated 21.01.2015 and on merits.

WP No.7262 of 2015

Directing the 1st respondent to dispose of the petitioners representation dated 26.11.2014, (which was given to the 1st respondent praying for regularisation of the petitioners services in post of Secondary Grade Assistant Teacher with effect from the date of the petitioners initial appointment on consolidated pay i.e. on 26.10.2004 with consequential service and monetary benefits with arrears of pay) in the light of the G.O.(3D). No.78, School Education (G-2) Department, dated 25.05.2012, G.O.(3D), No.35, School Education (Nee.Va.3(1) Department dated 10.4.2014 and also the latest G.O.(3D) No.4, School Education (Nee.Va.3(1)

Department, dated 21.01.2015 and on merits.

WP No.7263 of 2015

Directing the 1st respondent to dispose of the petitioners representation dated 26.11.2014, (which was given to the 1st respondent praying for regularisation of the petitioners services in post of Secondary Grade Assistant Teacher with effect fro the date of the petitioners initial appointment on consolidated pay i.e. on 19.12.2005 with consequential service and monetary benefits with arrears of pay) in the light of the G.O.(3D). No.78, School Education (G-2) Department, dated 25.05.2012, G.O.(3D), No.35, School Education (Nee.Va.3(1) Department dated 10.4.2014 and also the latest G.O.(3D) No.4, School Education (Nee.Va.3(1) Department, dated 21.01.2015 and on merits.

WP No.7264 of 2015

Directing the 1st respondent to dispose of the petitioners representation dated 25.11.2014, (which was given to the 1st respondent praying for regularisation of the petitioners services in post of Secondary Grade Assistant Teacher with effect fro the date of the petitioners initial appointment on consolidated pay i.e. on 27.10.2004 with consequential service and monetary benefits with arrears of pay) in the light of the G.O.(3D). No.78, School Education (G-2) Department, dated 25.05.2012, G.O.(3D), No.35, School Education (Nee.Va.3(1) Department dated 10.4.2014 and also the latest G.O.(3D) No.4, School Education (Nee.Va.3(1) Department, dated 21.01.2015 and on merits.

WP No.7265 of 2015

Directing the 1st respondent to dispose of the petitioners representation dated 08.12.2014, (which was given to the 1st respondent praying for regularisation of the petitioners services in post of Secondary Grade Assistant Teacher with effect fro the date of the petitioners initial appointment on consolidated pay i.e. on 27.10.2004 with consequential service and monetary benefits with arrears of pay) in the light of the G.O.(3D). No.78, School Education (G-2) Department, dated 25.05.2012, G.O.(3D), No.35, School Education (Nee.Va.3(1) Department dated 10.4.2014 and also the latest G.O.(3D) No.4, School Education (Nee.Va.3(1) Department, dated 21.01.2015 and on merits.

WP No.7266 of 2015

Directing the 1st respondent to dispose of the petitioners

representation dated 25.11.2014, (which was given to the 1st respondent praying for regularisation of the petitioners services in post of Secondary Grade Assistant Teacher with effect fro the date of the petitioners initial appointment on consolidated pay i.e. on 27.10.2004 with consequential service and monetary benefits with arrears of pay) in the light of the G.O.(3D). No.78, School Education (G-2) Department, dated 25.05.2012, G.O.(3D), No.35, School Education (Nee.Va.3(1) Department dated 10.4.2014 and also the latest G.O.(3D) No.4, School Education (Nee.Va.3(1) Department, dated 21.01.2015 and on merits.

WP No.8992 of 2015

Directing the 1st Respondent to dispose of the petitioner representation dated 26.11.2014, (which was given to the 1st Respondent praying for regularisation of the petitioner services in post of B.T. Assistant Teacher with effect for the date of the petitioner initial appointment on consolidated pay i.e. on 01.07.2004 with consequential service and monetary benefits with arrears of pay) in the light of the G.O.(3D). No.78, School Education (G-2) Department, dated 25.05.2012, G.O.(3D), No.35, School Education (Nee.Va.3(1)) Department dated 10.04.2014 and also the latest G.O.(3D) No.4, School Education (Nee.Va.3(1)) Department, dated 21.01.2015 and on merits within a time frame stipulated by this Honourable Court

WP No.8993 of 2015

Directing the 1st Respondent to dispose of the petitioner representation dated 26.11.2014, (which was given to the 1st Respondent praying for regularisation of the petitioner services in post of B.T. Assistant Teacher with effect for the date of the petitioner initial appointment on consolidated pay i.e. on 19.07.2004 with consequential service and monetary benefits with arrears of pay) in the light of the G.O.(3D). No.78, School Education (G-2) Department, dated 25.05.2012, G.O.(3D), No.35, School Education (Nee.Va.3(1)) Department dated 10.04.2014 and also the latest G.O.(3D) No.4, School Education (Nee.Va.3(1)) Department, dated 21.01.2015 and on merits within a time frame stipulated by this Honourable Court

WP No.8994 of 2015

Directing the 1st Respondent to dispose of the petitioner representation dated 24.11.2014, (which was given to the 1st Respondent praying for regularisation of the petitioner services in post of Secondary Grade Assistant Teacher with effect for the date of the petitioner initial appointment on consolidated pay i.e. on 06.08.2004 with consequential

service and monetary benefits with arrears of pay) in the light of the G.O.(3D). No.78, School Education (G-2) Department, dated 25.05.2012, G.O.(3D), No.35, School Education (Nee.Va.3(1)) Department dated 10.04.2014 and also the latest G.O.(3D) No.4, School Education (Nee.Va.3(1)) Department, dated 21.01.2015 and on merits within a time frame stipulated by this Honourable Court.

WP No.8995 of 2015

Directing the 1st Respondent to dispose of the petitioner representation dated 30.01.2015, (which was given to the 1st Respondent praying for regularisation of the petitioner services in post of Secondary Grade Assistant Teacher with effect for the date of the petitioner initial appointment on consolidated pay i.e. on 27.10.2004 with consequential service and monetary benefits with arrears of pay) in the light of the G.O.(3D). No.78, School Education (G-2) Department, dated 25.05.2012, G.O.(3D), No.35, School Education (Nee.Va.3(1)) Department dated 10.04.2014 and also the latest G.O.(3D) No.4, School Education (Nee.Va.3(1)) Department, dated 21.01.2015 and on merits within a time frame stipulated by this Honourable Court.

WP No.6655 of 2015

Directing the 1st respondent to dispose of the petitioners representation dated 24.11.2014 (which was given to the 1st respondent praying for regularisation of the petitioner initial services in Post of Secondary Grade Assistant Teacher with effect from the date of petitioner initial appointment on consolidated pay i.e. on 27.10.2004 with consequential service and monetary benefits with arrears of pay) in the light of the G.O.(3D) No.78, School Education (G2) Department dated 25.5.2012, G.O.(3D) No.35, School Education (Nee.Va.3(1)) Department dated 10.4.2012 and also the latest G.O.(3D) No.4, School Education (Nee.Va.3(1)) Department dated 21.1.2015 and on mierits within a time frame stipulated by this Honourable Court.

WP No.6656 of 2015

Directing the 1st respondent to dispose of the petitioners representation dated 24.11.2014 (which was given to the 1st respondent praying for regularisation of the petitioner initial services in Post of Secondary Grade Assistant Teacher with effect from the date of petitioner initial appointment on consolidated pay i.e. on 27.10.2004 with consequential service and monetary benefits with arrears of pay) in the light of the G.O.(3D) No.78, School Education (G2) Department dated 25.5.2012, G.O.(3D) No.35, School

Education (Nee.Va.3(1)) Department dated 10.4.2012 and also the latest G.O.(3D) No.4, School Education (Nee.Va.3(1)) Department dated 21.1.2015 and on merits within a time frame stipulated by this Honourable Court.

WP No.6657 of 2015

Directing the 1st respondent to dispose of the petitioners representation dated 24.11.2014 (which was given to the 1st respondent praying for regularisation of the petitioner initial services in Post of Secondary Grade Assistant Teacher with effect from the date of petitioner initial appointment on consolidated pay i.e. on 27.10.2004 with consequential service and monetary benefits with arrears of pay) in the light of the G.O.(3D) No.78, School Education (G2) Department dated 25.5.2012, G.O.(3D) No.35, School Education (Nee.Va.3(1)) Department dated 10.4.2012 and also the latest G.O.(3D) No.4, School Education (Nee.Va.3(1)) Department dated 21.1.2015 and on merits within a time frame stipulated by this Honourable Court.

WP No.6658 of 2015

Directing the 1st respondent to dispose of the petitioners representation dated 26.11.2014 (which was given to the 1st respondent praying for regularisation of the petitioner initial services in Post of Secondary Grade Assistant Teacher with effect from the date of petitioner initial appointment on consolidated pay i.e. on 27.10.2004 with consequential service and monetary benefits with arrears of pay) in the light of the G.O.(3D) No.78, School Education (G2) Department dated 25.5.2012, G.O.(3D) No.35, School Education (Nee.Va.3(1)) Department dated 10.4.2012 and also the latest G.O.(3D) No.4, School Education (Nee.Va.3(1)) Department dated 21.1.2015 and on merits within a time frame stipulated by this Honourable Court.

WP No.6659 of 2015

Directing the 1st respondent to dispose of the petitioners representation dated 24.11.2014 (which was given to the 1st respondent praying for regularisation of the petitioner initial services in Post of Secondary Grade Assistant Teacher with effect from the date of petitioner initial appointment on consolidated pay i.e. on 28.9.2004 with consequential service and monetary benefits with arrears of pay) in the light of the G.O.(3D) No.78, School Education (G2) Department dated 25.5.2012, G.O.(3D) No.35, School Education (Nee.Va.3(1)) Department dated 10.4.2012 and also the latest G.O.(3D) No.4, School Education (Nee.Va.3(1)) Department dated 21.1.2015 and on merits within a time frame stipulated by this Honourable Court.

WP No.7893 of 2015

Directing the 1st respondent to dispose of the petitioners representation dated 06.12.2014, (which was given to the 1st respondent praying for regularisation of the petitioners services in post of Secondary Grade Assistant Teacher with effect for the date of the petitioners initial appointment on consolidated pay i.e. on 27.10.2004 with consequential service and monetary benefits with arrears of pay) in the light of the G.O.(3D). No.78, School Education (G-2) Department, dated 25.05.2012, G.O.(3D), No.35, School Education (Nee.Va.3(1) Department dated 10.4.2014 and also the latest G.O.(3D) No.4, School Education (Nee.Va.3(1) Department, dated 21.01.2015 and on merits within a time frame stipulated by this Honourable Court.

WP No.7894 of 2015

Directing the 1st respondent to dispose of the petitioners representation dated 24.11.2014, (which was given to the 1st respondent praying for regularisation of the petitioners services in post of Secondary Grade Assistant Teacher with effect for the date of the petitioners initial appointment on consolidated pay i.e. on 9.11.2004 with consequential service and monetary benefits with arrears of pay) in the light of the G.O.(3D). No.78, School Education (G-2) Department, dated 25.05.2012, G.O.(3D), No.35, School Education (Nee.Va.3(1) Department dated 10.4.2014 and also the latest G.O.(3D) No.4, School Education (Nee.Va.3(1) Department, dated 21.01.2015 and on merits within a time frame stipulated by this Honourable Court.

WP No.7895 of 2015

Directing the 1st respondent to dispose of the petitioners representation dated 24.11.2014, (which was given to the 1st respondent praying for regularisation of the petitioners services in post of Secondary Grade Assistant Teacher with effect for the date of the petitioners initial appointment on consolidated pay i.e. on 28.9.2004 with consequential service and monetary benefits with arrears of pay) in the light of the G.O.(3D). No.78, School Education (G-2) Department, dated 25.05.2012, G.O.(3D), No.35, School Education (Nee.Va.3(1) Department dated 10.4.2014 and also the latest G.O.(3D) No.4, School Education (Nee.Va.3(1) Department, dated 21.01.2015 and on merits within a time frame stipulated by this Honourable Court.

WP No.7896 of 2015

Directing the 1st respondent to dispose of the petitioners representation dated 24.11.2014, (which was given to the 1st respondent praying for regularisation of the petitioners services in post of Secondary Grade Assistant Teacher with

effect for the date of the petitioners initial appointment on consolidated pay i.e. on 27.10.2004 with consequential service and monetary benefits with arrears of pay) in the light of the G.O.(3D). No.78, School Education (G-2) Department, dated 25.05.2012, G.O.(3D), No.35, School Education (Nee.Va.3(1) Department dated 10.4.2014 and also the latest G.O.(3D) No.4, School Education (Nee.Va.3(1) Department, dated 21.01.2015 and on merits within a time frame stipulated by this Honourable Court.

WP No.7897 of 2015

Directing the 1st respondent to dispose of the petitioners representation dated 25.11.2014, (which was given to the 1st respondent praying for regularisation of the petitioners services in post of Secondary Grade Assistant Teacher with effect for the date of the petitioners initial appointment on consolidated pay i.e. on 27.10.2004 with consequential service and monetary benefits with arrears of pay) in the light of the G.O.(3D). No.78, School Education (G-2) Department, dated 25.05.2012, G.O.(3D), No.35, School Education (Nee.Va.3(1) Department dated 10.4.2014 and also the latest G.O.(3D) No.4, School Education (Nee.Va.3(1) Department, dated 21.01.2015 and on merits within a time frame stipulated by this Honourable Court.

WP No.6889 of 2015

Directing the 1st respondent to dispose of the petitioners representation dated 25.11.2014 (which was given to the 1st respondent praying for regularisation of the petitioners services in Post of Secondary Grade Assistant Teacher with effect from the date of petitioner initial appointment on consolidated pay i.e. on 27.10.2004 with consequential service and monetary benefits with arrears of pay) in the light of the G.O.(3D) No.78, School Education (G2) Department dated 25.5.2012, G.O.(3D) No.35, School Education (Nee.Va.3(1)) Department dated 10.4.2014 and also the latest G.O.(3D) No.4, School Education (Nee.Va.3(1)) Department dated 21.1.2015 and on merits within a time frame stipulated by this Honourable Court.

WP No.6890 of 2015

Directing the 1st respondent to dispose of the petitioners representation dated 27.11.2014 (which was given to the 1st respondent praying for regularisation of the petitioners services in Post of Secondary Grade Assistant Teacher with effect from the date of petitioner initial appointment on consolidated pay i.e. On 16.11.2004 with consequential service and monetary benefits with arrears of pay) in the light of the G.O.(3D) No.78, School Education (G2) Department dated 25.5.2012, G.O.(3D) No.35, School Education

(Nee.Va.3(1)) Department dated 10.4.2014 and also the latest G.O.(3D) No.4, School Education (Nee.Va.3(1)) Department dated 21.1.2015 and on merits within a time frame stipulated by this Honourable Court.

WP No.6891 of 2015

Directing the 1st respondent to dispose of the petitioners representation dated 25.11.2014 (which was given to the 1st respondent praying for regularisation of the petitioners services in Post of Secondary Grade Assistant Teacher with effect from the date of petitioner initial appointment on consolidated pay i.e. on 28.10.2004 with consequential service and monetary benefits with arrears of pay) in the light of the G.O.(3D) No.78, School Education (G2) Department dated 25.5.2012, G.O.(3D) No.35, School Education (Nee.Va.3(1)) Department dated 10.4.2012 and also the latest G.O.(3D) No.4, School Education (Nee.Va.3(1)) Department dated 21.1.2015 and on merits within a time frame stipulated by this Honourable Court.

WP No.6892 of 2015

Directing the 1st respondent to dispose of the petitioners representation dated 25.11.2014 (which was given to the 1st respondent praying for regularisation of the petitioners services in Post of Secondary Grade Assistant Teacher with effect from the date of petitioner initial appointment on consolidated pay i.e. on 27.10.2004 with consequential service and monetary benefits with arrears of pay) in the light of the G.O.(3D) No.78, School Education (G2) Department dated 25.5.2012, G.O.(3D) No.35, School Education (Nee.Va.3(1)) Department dated 10.4.2014 and also the latest G.O.(3D) No.4, School Education (Nee.Va.3(1)) Department dated 21.1.2015 and on merits within a time frame stipulated by this Honourable Court.

WP No.6893 of 2015

Directing the 1st respondent to dispose of the petitioners representation dated 27.11.2014 (which was given to the 1st respondent praying for regularisation of the petitioners services in Post of Secondary Grade Assistant Teacher with effect from the date of petitioner initial appointment on consolidated pay i.e. on 27.10.2004 with consequential service and monetary benefits with arrears of pay) in the light of the G.O.(3D) No.78, School Education (G2) Department dated 25.5.2012, G.O.(3D) No.35, School Education (Nee.Va.3(1)) Department dated 10.4.2014 and also the latest G.O.(3D) No.4, School Education (Nee.Va.3(1)) Department dated 21.1.2015 and on merits within a time frame stipulated by this Honourable Court.

COMMON ORDER

All these batch of writ petitions are filed for a restricted prayer to consider the representation of the writ petitioners filed on various dates in order to redress grievance of the petitioners for regularisation of their service from the initial date of their respective appointment as Secondary Grade Assistant Teacher.

2. Admittedly, the initial appointment of the writ petitioners were temporary and made on consolidated pay and subsequently their services were regularised and all these writ petitioners are getting the service benefits from the date of regular appointment. The grievance set out is that their regularisation should be given with retrospective effect from the date of their temporary appointment on consolidated pay.

3. In view of the decisions and the legal principles reiterated both by the Hon'ble Supreme Court of India as well as our High Court, retrospective regularisation cannot be granted to the employees who were not appointed in accordance with the recruitment rules and such a right cannot be conferred. But, they are entitled for counting 50% of service rendered as temporary employees for the purpose of calculating the qualifying service for pension benefits alone, in accordance with the Amended Rule 11 of Tamil Nadu Pension Rules, 1978.

4. Therefore, this court is of the view that the writ petitioners are eligible for counting of 50% of their temporary services for the purpose of calculating qualifying service for pension benefits. Accordingly, the same may be considered by the appropriate authorities subject to fulfilment of other conditions in respect of these writ petitioners.

5. However, with regard to the retrospective regularisation, both the Constitution Bench of the Hon'ble Supreme Court in the case of State of Karnataka Vs. Uma Devi in (2006) 4 SCC 1 and subsequent Judgments emphasised that the back door entry in the public employment has to be deprecated and such employees cannot have any right for retrospective regularisation. Thus the prayer as such sought for seeking retrospective regularisation cannot be considered.

6. However, this court is of the considered opinion that the earlier orders of the Government passed in this regard applies to certain individuals concerned. However the entitlement raised by the learned counsel appearing for the writ petitioner on the basis of earlier Government Order cannot taken into consideration in view of the fact that one mistake committed by the Government cannot be a ground for committing continuous mistakes thereafter nor the Court can allow such errors to be continued contrary to the legal principles holding on this subject. Any irregular consideration either by the Government or by the authorities concerned in favour of the employees cannot be adjudicated in the writ proceedings, for passing orders on the similar line. even while adopting similarity of cases, the Courts have to consider the legal right of the writ petitioners and its infringement.

7. In all such cases, the claim of an employee has to be considered in accord with the rules and regulations in force at the particular point of time and any mistake committed earlier by the authorities has to be necessarily corrected based on the rules and regulations in force. Correction of mistake alone is to be appreciated and continuance of mistake should be deprecated.

8. In this view of the matter, this court is inclined to consider the case of the writ petitioners only with regard to the counting of 50% of the temporary services as qualifying service for pension in accord with Rule 11 of Tamilnadu Pension Rules. Accordingly the respondents are directed to consider the representations in the light of the observations made supra in this order and accordingly, take a decision in accordance with law, as early as possible, preferably, within a period of 12 weeks from the date of receipt of a copy of this order.

9. With the above directions all these writ petitions stand disposed of and there shall be no order as to cost.

Sd/-
Asst. Registrar

/true copy/

Sub Asst. Registrar.

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To

- 1.The Government of Tamil Nadu,
Rep. by its Secretary to Government,
School Education Department,
Fort St. George,
Chennai 600 009.
- 2.The Director of Elementary Education,
College Road,
Chennai 600 006.
- 3.The District Elementary Educational Officer,
Tiruppur District,
Tiruppur.
- 4.The Assistant Elementary Educational Officer,
Dharapuram Panchayat Union,
Dharapuram,
Tiruppur District.
- 5.The Assistant Elementary Educational Officer,
Dharapuram Panchayat Union, Dharapuram, Mulanur District.

+1 CC to Mr.A.S.Kaizer, Advocate SR NO 47185

+ 1 CC to Government Pleader, High Court, Madras 42

W.P.Nos.7898 to 7903 of 2015,
W.P.Nos.7118 to 7122 of 2015,
W.P.Nos.7057 to 7061 of 2015,
W.P.Nos.7262 to 7266 of 2015,
W.P.Nos.8992 to 8995 of 2015,
W.P.Nos.6655 to 6659 of 2015,
W.P.Nos.7893 to 7897 of 2015 &
W.P.Nos.6889 to 6893 of 2015

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vr/06/09

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