

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.09.2017

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.24110 of 2016

T.Mohan

... Petitioner

Vs.

1.The Government of Tamil Nadu,
Rep. by its Secretary,
School Education Department,
St. George Fort,
Chennai - 600 009.

2.The Director of Elementary Education,
College Road,
Chennai - 600 006.

3.The District Elementary Educational Officer,
Nagapattinam District.

4.The Assistant Elementary Officer,
Keezhvellore,
Nagapattinam - 611 104.

.... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to consider the representation dated 06.02.2016 and to regularizing the service of the petitioner with effect from 11.06.1987 as this Court may deem fit.

For Petitioner : Mr.K.Sathish Kumar
For Respondents : Mr.K.Dhananjayan
Special Government Pleader

O R D E R

The relief sought for in this writ petition is for a direction to direct the first respondent to consider the representation submitted by the writ petitioner on 06.02.2016 with regard to the regularization of his service with retrospective effect from 11.06.1987.

2. However, the learned Special Government Pleader appearing on behalf of the respondents in support of the counter submitted that the case of the writ petitioner has been recommended to the first respondent and in this regard, the respondents also filed a counter and the 9th paragraph of the counter is extracted here under:

"9.Regarding the averments in para 6 of the affidavit of the petitioner, it is admitted that the petitioner has made several representations seeking for the condonation of the above break and also requested to regularize his services in the post of full time Vocational Instructor with effect from 11.06.1987. It is submitted that necessary proposal has been sent to the Government for the con donation of the above break and to regularize the services of the petitioner in the post of full time Vocational Instructor. The matter is under continuous correspondence with the Government. Finally a proposal was sent to the second respondent vide letter No.1443/A2/2016 dated 28.07.2016 of the third respondent and the second respondent has also sent a report to the Government vide Lr.No.9323/D2/2016 dated 18.08.2016 and the matter is pending consideration by the Government. In response to the above report, the Government have issued instructions in Lr.No.5302/2016 School Education Department dated 26.09.2016 and resubmit the proposal on the basis of the decision of this Hon'ble Court in this Writ Petition."

3. In this view of the matter it is suffice if a direction is issued to the first respondent. Thus, the first respondent is directed to consider the representation of the writ petitioner on 06.02.2016 and pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

4. Accordingly, the writ petition stands disposed of. However, there is no order as to costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Government of Tamil Nadu,
Rep. by its Secretary,
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Chennai - 600 009.
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Chennai - 600 006.
- 3.The District Elementary Educational Officer,
Nagapattinam District.
- 4.The Assistant Elementary Officer,
Keezhvellore,
Nagapattinam - 611 104.

+1cc to the Government Pleader Sr. 69846

+1cc to Mr.K.Sathish Kumar, Advocate Sr. 69786

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SVI (CO)
VR(26/10/2017)



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