



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:06.06.2017

CORAM:

THE HONOURABLE **MR.JUSTICE T.S.SIVAGNANAM**

AND

THE HONOURABLE **MR.JUSTICE P.VELMURUGAN**

W.A.(MD) No.649 of 2013

and

M.P.(MD).No.1 of 2013

1. The District Educational Officer,
Kovilpatti Educational District,
Kovilpatti.

2. The Chief Educational Officer,
Tuticorin District, Tuticorin.

3. The Director of School Education,
D.P.I. Compound, College Road,
Chennai- 6.

...Appellants/Respondents

Vs.

P.Muniasamy
S/o.Periyasamy
Part-Time Waterman,
Government Higher Secondary School,
Pudur,
Tuticorin District.

...Respondent/ Petitioner

PRAYER: Writ Appeal is filed under Clause 15 of Letters Patent to allow the writ appeal and set aside the order dated 04.12.2008 passed in W.P.No.6701 of 2008.

Prayer in WP(MD). 6701/ 2008 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order of the 1st respondent herein dated 13/05/2008 in Na.Ka.No. 188/A1/2002 and quash the same and consequently directing the respondents to appoint the petitioner in time scale either Sweeper or Scavenger or any other equivalent cadre in Basic service as per the orders issued by the Government.

For Appellants : Mr.V.R.Shanmuganathan
Special Government Pleader

For Respondent : Mr.J.Parekh Kumar

**JUDGMENT**

[Judgment of the Court was delivered by **T.S.SIVAGNANAM, J**]

Heard Mr.V.R.Shanmuganathan, learned Special Government Pleader for the appellants and Mr.N.Dilipkumar, learned counsel for the respondent.

2.This appeal, by the District Educational Officer and others, is directed against the order passed in W.P(MD)No.6701 of 2008, dated 04.12.2008. The said order is a common order in several other writ petitions. The directions issued was to regularise the service of the respondent.

3.When this writ appeal was entertained, no interim order was granted and the matter was fully adjourned on three occasions. It is brought to the notice of this Court that the District Educational Officer, Kovilpatti vide his proceedings dated, 26.02.2010 in Na.Ka.No.188/A1/2002 has regularised the service of the respondent/writ petitioner. Thus, on facts, we find that the order has been complied with. Therefore, the writ appeal is closed, leaving the legal issue open to adjudication as and when a need arises. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar (AD-II)

/True copy/

Sub Assistant Registrar

To

1. The District Educational Officer,
Kovilpatti Educational District,
Kovilpatti.
2. The Chief Educational Officer,
Tuticorin District, Tuticorin.
3. The Director of School Education,
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Chennai- 6.

+1 CC to THE SPECIAL GOVERNMENT PLEADER, SR No. 59239.

DAS/AM

PSM/RSK/SAR1/20.06.2017/2P/5C

W.A. (MD) No.649 of 2013

06.06.2017