

IN THE HIGH COURT OF JUDICATURE AT MADRAS
Dated: 28.02.2018
Coram

THE HONOURABLE Mr. JUSTICE K.K.SASIDHARAN
AND
THE HONOURABLE Mr. JUSTICE P.VELMURUGAN

W.A.No.1186 of 2014
and M.P.No.1 of 2014

1.The Secretary to Government
School Education Department
Fort St.George
Chennai 600 009.

2.The Director of Public Libraries
Anna Salai
Chennai 600 002.

3.The District Library Officer
Collectorate Compound
Villupuram.

... Appellants / Respondents

Vs.

M.Jayalakshmi

... Respondent / Petitioners

Writ Appeal filed under Clause 15 of Letters Patent to set-aside the order dated 17.06.2013 made in W.P.No.16177 of 2013, on the file of this Court. Petition filed under Article 226 of the Constitution of India direct the respondents to regularize the services of the petitioner from the date of completion of 10 years of service from the date of initial appointment on 01/09/1994 with all monetary and other consequential service benefits including the arrears of pay in the revised scale.

For Appellants : Mr.K.Karthikeyan
Government Advocate

For Respondent : No appearance

J U D G M E N T

[Judgment of the Court was delivered by K.K.SASIDHARAN,
J.]

The Mandamus issued by the learned single Judge to the appellants to regularise the services of the respondent on completion of 10 years of service from the date of her initial appointment is under challenge in this intra court appeal.

2. The challenge is mainly on the ground that the Government Order relied on by the learned single Judge is not applicable to Part Time employees.

3. The learned Government Advocate by producing a copy of the judgment dated 10 July 2014, in W.A.Nos.2911 of 2012 etc., batch, submitted that the issue is covered by the said judgment. According to the learned Government Advocate, the Division Bench set aside the orders passed by the learned single Judges of this Court directing regularisation of Part Time employees.

4. None appeared on behalf of the respondent.

5. The learned single Judge by placing reliance on the Government Order in G.O.Ms.No.22 P & AR Department, dated 28 February, 2006 directed regularisation of the services of the respondent. The respondent was working as Part Time Sweeper. The learned single Judge extended the benefits of the Government Order to the respondent. When similar issue came up before the Division Bench in W.A.Nos.2911 of 2012 etc., batch, the Division Bench allowed the appeals filed by the Government and set aside the direction issued by the learned single Judges of this Court for regularisation of Part Time employees.

6. The issue raised in this intra court appeal is squarely covered by the judgment dated 10 July, 2014 in W.A.Nos.2911 of 2012 and etc., batch.

7. The intra court appeal filed by the State is allowed by following the judgment dated 10 July, 2014 in W.A.Nos.2911 of 2012 and etc., batch. No costs. Consequently, connected miscellaneous petition is closed.

gms

सत्यमेव जयते

Sd/-

Assistant Registrar

/TRUE COPY/

Sub-Assistant Registrar

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To

1.The Secretary to Government
School Education Department
Fort St.George, Chennai 600 009.

2.The Director of Public Libraries
Anna Salai, Chennai 600 002.

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+1CC to Govt Pleader, High Court, Madras-104 SR.NO.15933

W.A.No.1186 of 2014

SJ[CO]
MK:27/03/2018



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