

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.2543 of 2018

S. Karthikeyan

.... Petitioner

vs

1. The State of Tamil Nadu,
rep by its Principal Secretary to Government,
School Education Department,
Fort St. George, Secretariat,
Chennai - 600 009
 2. The Director of School Education,
DPI Campus, College Road,
Chennai - 600 006
 3. The Joint Director of School Education (Personnel),
DPI Campus, College Road, Chennai - 600 006
 4. The Chief Educational Officer,
Thiruvannamalai,
Thiruvannamalai District
- Respondents

Writ Petition is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents to pass orders for regularising the service of the petitioner in the post of B.T. Assistant (English) from the date of appointment on 06.09.2010 and to declare probation of the petitioner with all consequential and other attendant benefits by considering the representation submitted by the petitioner dated 04.03.2011.

For petitioner : Mr.G. Sankaran
For respondents: Mrs.P. Rajalakshmi
AGP

ORDER

The petitioner has filed the present writ petition seeking to issue a Writ of Mandamus directing the respondents to pass orders for regularising the service of the petitioner in the post of B.T. Assistant (English) from the date of appointment on 06.09.2010 and to declare probation of the petitioner with all consequential and other attendant benefits by considering the representation submitted by the petitioner dated 04.03.2011.

2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents.

3. The petitioner was appointed as B.T. Assistant as per Order dated 03.09.2010 and he joined the post on 06.09.2010. However, he was issued with a show cause notice dated 23.02.2011 by the Joint Director of School Education (Personnel), the third respondent herein informing that the petitioner was appointed as B.T. Assistant on priority basis, whereas he has not registered Inter Caste Marriage priority in District Employment Exchange, Thiruvannamalai.

4. On receipt of the same, the petitioner submitted his explanation dated 04.03.2011 stating that he was sponsored by Employment Exchange based on his original seniority without reference to priority category. Whereas, no action has been taken by the respondents, followed by the explanation submitted by the petitioner, as a result he is denied the benefit of regularisation.

5. The detailed explanation given by the petitioner dated 04.03.2011 to the show cause notice dated 23.02.2011 deserves an immediate disposal on merits.

6. Considering the limited prayer sought for, without going into the merits of the matter, this Court, taking note of the fact that the petitioner was issued with show cause notice dated 23.02.2011, seeking for an explanation and accordingly, the petitioner has also given explanation dated 04.03.2011, the respondents shall dispose of the same within four weeks.

7. Accordingly, the respondents are directed to dispose of the representation dated 04.03.2011 on merits and pass appropriate orders in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

8. With the above direction, the writ petition is disposed of. No costs.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

sr

To

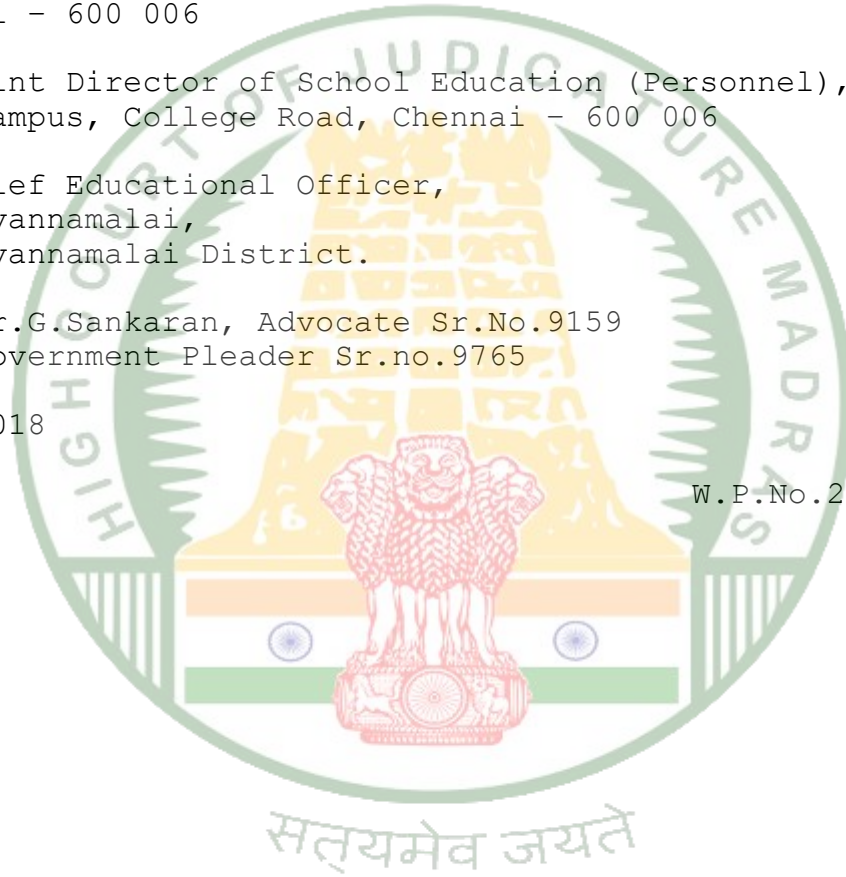
1. Principal Secretary to Government,
State of Tamil Nadu,
School Education Department,
Fort St. George, Secretariat,
Chennai - 600 009
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4. The Chief Educational Officer,
Thiruvannamalai,
Thiruvannamalai District.

+1cc to Mr.G.Sankaran, Advocate Sr.No.9159

+1cc to Government Pleader Sr.no.9765

sm:27.2.2018

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