

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 26.06.2018
CORAM

THE HONOURABLE MRS.JUSTICE BHAVANI SUBBAROYAN

W.P.No.18515 of 2008

C.Isac Sobana Raj

... Petitioner

Vs.

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

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

3.The Regional Joint Director of Collegiate Education,
Tirunelveli Region,
Tiruvandrum Road,
Palayamkottai, Tirunelveli District.

4.The Correspondent,
Nesamoney Memorial Christian College,
Marthandam, Kanyakumari District.

... Respondents

Prayer:

This Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to regularize the service on and from 17.06.2002 the date on which the petitioner actually entered into the service.

For Petitioner : Mrs.S.Rajakumari for A.R.Nixon

For R1 to R3 : Mr.A.Karthikeyan
Government Advocate (Education)

For R4 : Mr.S.Bharathirajan

ORDER

The petitioner has filed this Writ Petition seeking a writ of mandamus directing the second respondent to regularize the service of petitioner on and from 17.06.2002 the date on which the petitioner actually entered into the service on the 4th respondent college.

2. The learned counsel appearing for the 4th respondent produced a copy of the order passed by this Court on 11.08.2017

in W.P.No.8441 of 2013 which was filed by the very same petitioner herein. The said writ petition was filed for issuance of writ of certiorarified mandamus calling for the records relating to the order of the second respondent in Na.Ka.No.49157/F2/2009 dated 28.05.2010 consequential order passed by the 1st respondent in foj (lo)vz; 248 ehs; 31/08/2012 and quash the same thereby directing the respondents to regularize the service of the petitioner from the period from 24.08.2000 and to pay all monetary benefits and arrears of salary to the petitioner.

3.It could be seen from the said Judgment that only on the basis of the Government letter R.C.No.18821/G3/2006 dated 19.07.2006, the petitioner was granted appointment permission with effect from 26.07.2006, which was also approved by the Regional Joint Director of Collegiate Education, Tirunelveli Region by his proceedings Pa.Mu.No.17546/E2/2006 dated 12.02.2007.

4.It could be also seen that in the above Writ Petition, the learned counsel for the petitioner contended that G.O.(3D) No.4, Higher Education (E2) Department dated 06.03.2014 is applicable to this petitioner, who is similarly placed like the petitioner in other Writ Petition No.22549 of 2010, and the said contention was accepted by this Court. In the said W.P.No.22549 of 2010, the petitioner's service was ordered to be regularized from the date on which the petitioner therein was appointed as Lecturer of Chemistry Department.

5.After considering the rival submissions, this Court directed the second respondent to approve and regularize the service of the petitioner for the period from 17.06.2002 to 26.07.2006 and also to pay the arrears of salary and all monetary benefits, seniority and all other attendant benefits in the light of the order passed in W.P.No.22549 of 2010 dated 24.11.2010 and the Government order in G.O.(3D) No.4, Higher Education (E2) Department dated 06.03.2014.

6.In view of the order dated 11.08.2017 passed in W.P.No.8441 of 2013 the petitioner's prayer to regularize his service from 17.06.2002 has been complied with and nothing survives for adjudication in this Writ Petition.

7.Accordingly, this Writ Petition is dismissed as infructuous. No costs.

Sd/-
Assistant Registrar(audit)

//True Copy//

Sub Assistant Registrar

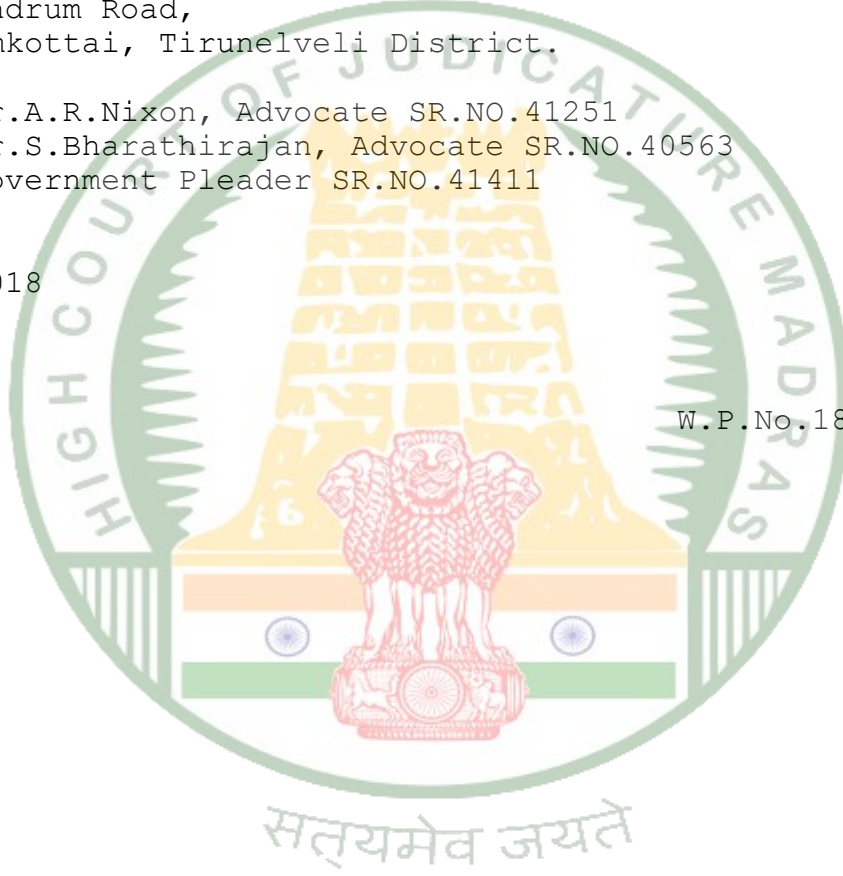
To

- 1.The Director of Elementary Education,
Chennai - 6.
- 2.The District Elementary Education Officer,
Kancheepuram,
Kancheepuram District.
- 3.The Regional Joint Director of Collegiate Education,
Tirunelveli Region,
Tiruvandrum Road,
Palayamkottai, Tirunelveli District.

+1cc to Mr.A.R.Nixon, Advocate SR.NO.41251
+1cc to Mr.S.Bharathirajan, Advocate SR.NO.40563
+1cc to Government Pleader SR.NO.41411

CP(CO)
sm;16.8.2018

W.P.No.18515 of 2008



WEB COPY