



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Friday, the Sixth day of July Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice M.DURAI SWAMY
and
The Hon`ble Mrs.Justice R.THARANI

CMP(MD) Nos.3223 to 3225 of 2018
IN

WA(MD) Nos.SR29211, 29203 and 29199 of 2013

CMP(MD) No.3223 of 2018 IN WA(MD) No.SR29211 of 2013:

- 1 THE STATE OF TAMIL NADU,
REP BY SECRETARY TO GOVERNMENT,
SCHOOL EDUCATION DEPARTMENT,
FORT ST GEORGE, CHENNAI - 600 009.
- 2 THE DIRETOR OF SCHOOL EDUCATION DEPARTMENT,
DPI CAMPUS, COLLEGE ROAD, CHENNAI-6.
- 3 THE CHIEF EDUCATIONAL OFFICER
KANYAKUMARI DISTRICT, NAGERCOIL.
- 4 THE DISTRICT EDUCATIONAL OFFICER,
KUZHITHURAI EDUCATIONAL DISTRICT,
MARTHANDAM, KANYAKUMARI DISTRICT. ... PETITIONERS/ PETITIONERS/
APPELLANTS

Vs

S.SHAILAYA ... RESPONDENT/ RESPONDENT/ RESPONDENT

PRAYER IN CMP(MD) No.3223 of 2018 IN WA(MD) No.SR29211 of 2013:

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to restore the above M.P.No.1 of 2014 in W.A.SR.(MD).No.29211 of 2013 was dismissed for non payment of batta on 14.08.2015.

PRAYER IN WA(MD) No.SR29211 of 2013:

To allow the writ appeal by setting aside the orders of the Hon`ble Court dated 27.04.2012 made in WP(MD)No.6256 of 2012.

Prayer in WP(MD). 6256/ 2012 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the respondents herein to regularize the service of the petitioner as Full Time Sanitary Worker on completion



of ten years of Part time services from 10.12.1990 and to pay time scale of pay and other monetary benefits payable from 10.12.2000 within a stipulated time as fixed by this Honourable Court.

CMP(MD) No.3224 of 2018 IN WA(MD) No.SR29203 of 2013:

1 THE STATE OF TAMIL NADU,
REP BY SECRETARY TO GOVERNMENT,
SCHOOL EDUCATION DEPARTMENT,
FORT ST GEORGE, CHENNAI - 600 009.

2 THE DIRETOR OF SCHOOL EDUCATION DEPARTMENT,
DPI CAMPUS, COLLEGE ROAD, CHENNAI-6.

3 THE CHIEF EDUCATIONAL OFFICER
KANYAKUMARI DISTRICT, NAGERCOIL.

4 THE DISTRICT EDUCATIONAL OFFICER,
KUZHITHURAI EDUCATIONAL DISTRICT,
MARTHANDAM, KANYAKUMARI DISTRICT.

... PETITIONERS/ APPELLANTS

Vs

M.SUKUMARI

... RESPONDENT/ RESPONDENT

Prayer in CMP(MD) . 3224/ 2018 IN WA(MD) No.SR29203 of 2013

To restore the above M.P.No.1 of 2014 in W.A.SR.(MD) . No.29203 of 2013 was dismissed for non payment of batta on 14.08.2015.

Prayer in IN WA(MD) No.SR29203 of 2013:

To allow the writ appeal by setting aside the orders of the Hon`ble Court dated 27.04.2012 made in WP(MD)No.6257 of 2012.

Prayer in WP(MD) . 6257/ 2012 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the respondents 1 to 4 herein to regularize the service of the petitioner as Full Time Water Supply Attender on completion of ten years of Part time services from 04.12.1992 and to pay time scale of pay and other monetary benefits payable from 04.12.2002.

CMP(MD) No.3225 of 2018 IN WA(MD) No.SR29199 of 2013:

1 THE STATE OF TAMIL NADU,
REP BY SECRETARY TO GOVERNMENT,
SCHOOL EDUCATION DEPARTMENT,
FORT ST GEORGE, CHENNAI - 600 009.



2 THE DIRECTOR OF SCHOOL EDUCATION DEPARTMENT,
DPI CAMPUS, COLLEGE ROAD, CHENNAI-6.

3 THE CHIEF EDUCATIONAL OFFICER
KANYAKUMARI DISTRICT, NAGERCOIL.

4 THE DISTRICT EDUCATIONAL OFFICER,
KUZHITHURAI EDUCATIONAL DISTRICT,
MARTHANDAM,
KANYAKUMARI DISTRICT.

5 THE HEAD MASTER,
GOVERNMENT HIGH SCHOOL
VILAVAM CODE, KANYAKUMARI DISTRICT.

... PETITIONERS/ APPELLANTS

Vs

T.NANAN

... RESPONDENT

Prayer in CMP(MD). 3225/ 2018 :

To restore the above M.P.No.1 of 2014 in W.A.SR.(MD).
No.29199 of 2013 was dismissed for non payment of batta on
14.08.2015.

Prayer in IN WA(MD) No.SR29199 of 2013:

To allow the writ appeal by setting aside the orders of the
Hon'ble Court dated 15.06.2012 made in WP(MD)No.8083 of 2012.

Prayer in WP(MD). 8083/ 2012 :

Writ Petition is filed under Article 226 of the
Constitution of India, praying this Court To issue a Writ of
Mandamus directing the Respondents 1 to 5 to regularize the service
of the petitioner as full time sweeper on completion of ten years of
Part-time services from 12.12.1980 and to pay time scale of pay and
other monetary benefits payable from 12.12.1990.

ORDER : These petitions coming on for orders upon perusing the
petitions and the affidavit filed in support thereof and upon
hearing the arguments of Mr.A.K.BASKARAPANDIAN, Special Government
Pleader for the petitioner in all the petitions, the court made the
following order:-

(Order of the Court was made by **M.DURAISWAMY, J**)

The learned Special Government Pleader submitted that this
Court had already condoned the delay of 460 days in filing the
application to restore the petition in M.P.(MD)No.1 of 2014 by order
dated 21.03.2018.

2. The petitioners have satisfactorily explained the reasons
for the non-payment of batta on 14.08.2015.



3. In view of the same, the petitions are ordered.

sd/-
06/07/2018

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/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE SECRETARY TO GOVERNMENT,
THE STATE OF TAMIL NADU,
SCHOOL EDUCATION DEPARTMENT,
FORT ST GEORGE, CHENNAI - 600 009.

2 THE DIRETOR OF SCHOOL EDUCATION DEPARTMENT,
DPI CAMPUS, COLLEGE ROAD, CHENNAI-6.

3 THE CHIEF EDUCATIONAL OFFICER
KANYAKUMARI DISTRICT, NAGERCOIL.

4 THE DISTRICT EDUCATIONAL OFFICER,
KUZHITHURAI EDUCATIONAL DISTRICT,
MARTHANDAM, KANYAKUMARI DISTRICT.

5 THE HEAD MASTER,
GOVERNMENT HIGH SCHOOL
VILAVAM CODE, KANYAKUMARI DISTRICT.

ORDER IN
CMP(MD) Nos.3223 to 3225 of 2018 IN
WA(MD) Nos.SR29211, 29203 and 29199 of 2013
Date :06/07/2018

MS/MMS/SAR-2/27.07.2018/4P.6C