



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.04.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P(MD)Nos.10225 of 2018

V.Durairaj

... Petitioner

Vs.

1.The Director of School Education,
DPI Compound, College Road,
Chennai.

2.The District Educational Officer,
Palani, Dindigul District.

3.The Head Master,
Government Higher Secondary School,
Eriyodu, Dindigul District.

... Respondents

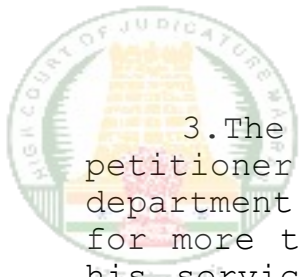
PRAYER: This Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to forthwith regularise the services of the petitioner as full time sweeper and confer him permanent status by bringing him into time scale of pay from the date on which he was initially appointed, consequently grant him all monetary and service benefits arising thereon, within the time stipulated by this Court.

For Petitioners : Mr.S.Balamurugan
For Respondents : Mrs.S.Srimathy, Spl.G.P.

O R D E R

The prayer sought for herein is for a Writ of Mandamus, directing the respondents to forthwith regularise the services of the petitioner as full time sweeper and confer him permanent status by bringing him into time scale of pay from the date on which he was initially appointed, consequently grant him all monetary and service benefits arising thereon, within the time stipulated by this Court.

2. Heard Mr.S.Balamurugan, learned counsel for the petitioner and Mrs.S.Srimathy, learned Special Government Pleader appearing for the respondents.



3.The learned counsel for the petitioner would submit that the petitioner was appointed as a part time Sweeper in the respondent department on 02.09.1983. Since then, he has been working as such for more than 33 years. In spite of long service rendered by him, his services have not so far been regularised by the respondents. In this regard, even though a request has been made and the same has been forwarded by the third respondent to the second respondent vide his proceedings dated 06.11.2014, so far no orders have been passed either by the first respondent or by the second respondent and therefore, the petitioner had given a detailed representation in this regard to the respondents on 28.12.2017. However, the same has not so far been considered. Therefore, if a direction is given to that effect to consider the request of the petitioner dated 28.12.2017, in the light of the forwarding of the proposal by the third respondent dated 06.11.2014 and an order to that effect is directed to be passed, the petitioner would be satisfied.

4.I have heard Mrs.S.Srimathy, learned Special Government Pleader in this regard, who would submit that the request of the petitioner by way of representation dated 28.12.2017 would be considered and an order to that effect would be passed thereon, on merits, within a time frame.

5.Considering the said submissions made by both sides, this writ petition is disposed of with the following direction:

"The first respondent is directed to consider the request of the petitioner by way of representation dated 28.12.2017, in the light of the forwarding of the proposal made by the third respondent to the second respondent in Na.Ka.No.199 of 2014 dated 06.11.2014 and pass orders thereon, with regard to the regularisation of the services of the petitioner as he is admittedly rendered 33 years unblemished service at the respondent department, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order."

6.With this direction, this writ petition is disposed of. No costs.

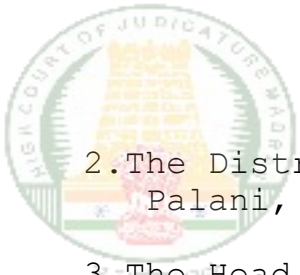
Sd/-
Assistant Registrar(P&A)

/True copy/

Sub Assistant Registrar

To

1.The Director of School Education,
<https://hcservices.ecourts.gov.in/hcservices/>
DFI Compound, College Road,
Chennai.



2.The District Educational Officer,
Palani, Dindigul District.

3.The Head Master,
Government Higher Secondary School,
Eriyodu, Dindigul District.

+1cc to Mr.S.Balamurugan, Advocate, SR.No.64536.

W.P (MD) Nos.10225 of 2018
28.04.2018

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