



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.09.2018

CORAM:

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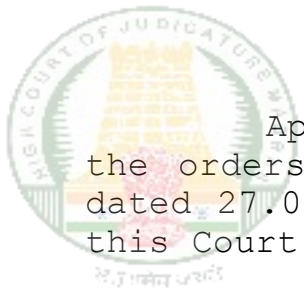
THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
and
THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.A.(MD) Nos.1103 to 1107 of 2018
and
CMP(MD)Nos.8344, 7933 to 7936 of 2018
and WP(MD)No.6255, 6256, 6257, 6260 and 8083 of 2012

1. The State of Tamil Nadu
rep.by Secretary to Government,
School Education Department,
Fort St. George, Chennai - 9.
2. The Director of School Education,
DPI Campus, College Road,
Chennai - 600 006.
3. The Chief Educational Officer,
Kanyakumari District,
Nagercoil.
4. The District Educational Officer,
Kuzhithurai Educational District,
Marthandam,
Kanyakumari District. ... Appellants 1 to 4
in all the W.As.
5. The Headmaster
Government L.M.Middle School,
Arumanai,
Kanyakumari District. ... 5th Appellant in
W.A (MD) No.1107/2018

vs .

K.Ponnamma	.. Respondent in W.A (MD) No.1103/2018
S.Shailaja	.. Respondent in W.A (MD) No.1104/2018
M.Sukumari	.. Respondent in W.A (MD) No.1105/2018
A.Maria Rose	.. Respondent in W.A (MD) No.1106/2018
P.Nandan	.. Respondent in W.A (MD) No.1107/2018



Appeals filed under Clause 15 of Letters Patent against the orders passed in WP(MD)No.6255, 6256, 6257 and 6260 of 2012 dated 27.04.2012 and in WP(MD)No.8083 of 2012 dated 15.06.2012 by this Court.

Prayer in WP(MD)No. 6255/ 2012 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent 1 to 4 herein to regularize the service of the petitioner as Full Time Sanitary Worker (Sweeper) on completion of ten years of Part time services from 01.08.1972 and to pay time scale of pay and other monetary benefits payable from 01.08.1982 within a stipulated time as fixed by this Honourable Court.

Prayer in WP(MD)No. 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 1 to 4 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.

Prayer in WP(MD)No. 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 within a stipulated time as fixed by this Honourable Court.

Prayer in WP(MD)No. 6260/ 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 Sweeper on completion of ten years of Part time services from 10.04.1975 and to pay time scale of pay and other monetary benefits payable from 10.04.1985 within a stipulated time as fixed by this Honourable Court.

Prayer in WP(MD)No. 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 herein 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



within a stipulated time as fixed by this Honourable Court.

For Appellants : Mrs.S.Srimathy
Special Government Pleader
(all Writ Appeals)
For Respondents : Mr.S.Bharathykannan
(all Writ Appeals)

COMMON JUDGMENT

[Judgment of the Court was made by M.M.SUNDRESH, J.]

We are not inclined to go into the legal issue raised.

2.It appears that the respondents in W.A.(MD) Nos.1103, 1105 to 1107 of 2018 have already retired and the orders of the learned Single Judge have been given effect to. Therefore, what remains is only one person/the respondent in W.A(MD)No.1104 of 2018, whose service has also been regularised pursuant to the order of the learned Single Judge.

3.Thus, while dismissing the appeals, we left the legal issue open. We make it clear that this judgment will not be a precedent to anybody, who makes any claim in respect of similar issue. No costs. Consequently, CMP(MD)Nos.8344, 7933 to 7936 of 2018 are closed.

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar (CS-I)

To

1. The Secretary to Government,
State of Tamil Nadu,
School Education Department,
Fort St. George, Chennai - 600 009.
2. The Director of School Education,
DPI Campus, College Road,
Chennai - 600 006.
3. The Chief Educational Officer,
Kanyakumari District, Nagercoil.
4. The District Educational Officer,
Kuzhithurai Educational District,
Marthandam, Kanyakumari District.

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 84728

MJ

TE/SV/SAR-1 : 10/10/2018 : 3P/6C