

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.04.2019

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.29491 of 2008

Balakrishnan

.. Petitioner

-vs-

1.The Secretary to Government,
School Education Department,
Fort St. George,
Chennai-9.

2.The Director of School Education,
College Road, Chennai-6.

3.The Chief Educational Officer,
Krishnagiri District,
Krishnagiri.

.. Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents to regularise the services of the petitioner as Vocational Instructor from 01.04.1990 to 31.05.1995 and further direct the respondents to count the double part time services rendered by the petitioner from 30.09.1980 to 31.03.1990 for the purpose of pensionary benefits.

For Petitioner : Mr.M.Muthappan

For respondents : Mr.K.Karthikeyan,
Government Advocate (Edn.)

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ORDER

The writ petition has been filed seeking a direction to the respondents to regularise the services of the petitioner as Vocational Instructor from 01.04.1990 to 31.05.1995 and to count the double part time services rendered by him from 30.09.1980 to 31.03.1990 for the purpose of pensionary benefits.

2.Learned counsel appearing for the petitioner would submit that the petitioner was appointed as Vocational Instructor (Machinist) in the Government Higher Secondary School, Megalai Cinnampalli, Krishnagiri District on 30.09.1980. After serving for a period of ten years, his services in the cadre of Vocational Instructor (Machinist) was regularised and brought into regular time scale of pay by proceedings dated 12.02.1991 by the Chief Educational Officer, Krishnagiri, the third respondent herein with effect from 01.04.1990. Thereafter, he has served as Engineering Instructor till 30.06.1990. After serving meritoriously for more than 25 years, he was superannuated from service on 31.05.1995.

3.According to the learned counsel appearing for the petitioner, although the petitioner has put in 14 years of service, he was not considered for pensionary benefits on the ground that he has not completed 10 years of qualifying service for the purpose of pensionary benefits. Therefore, he made a representation seeking regularisation of his service. Finding no response, he has come to this Court.

4.Learned Government Advocate appearing for the respondents would submit that on the basis of the G.O. Ms.194 School Education Department dated 12.09.2018, 50% of the part time services rendered by the petitioner were taken into consideration for the purpose of pensionary benefits.

5.Recording the submission made by the learned Government Advocate appearing for the respondents, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(AD IV)

//True Copy//

Sub Assistant Registrar

vga

To

1. The Secretary to Government,
School Education Department,
Fort St. George,
Chennai-9.
2. The Director of School Education,
College Road, Chennai-6.

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3. The Chief Educational Officer,
Krishnagiri District,
Krishnagiri.

+1cc to Mr.M.Muthappan, Advocate, S.R.No.34865
+1cc to the Government Pleader, S.R.No.34103

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CS/20/05/2019



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