

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.10.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.16013 of 2018

Mrs.N.Banumathi

... Petitioner

Vs.

1. The State of Tamil Nadu,
Rep by its Secretary,
School Education Department,
Fort St. George,
Chennai 600 009.
 2. The Director of School Education,
College Road, Egmore,
Chennai 600 006.
 3. The District Educational Officer,
Thanjavur, District Education Office,
Near Siva Gangai Garden,
Thanjavur District - 613 001.
 4. The Head Master,
Oriental Higher Secondary School,
1826, West Main Road,
Thanjavur District - 613 009
- ... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 3 to regularise the petitioners appointment as a full time scavenger in the 4th respondent school on regular basis with effect from 01.06.1999 till date and pay all the back wages, continuity of service and other attendant and consequential benefits based on the representation dated 26.11.2017.

For Petitioner : Mr.G.Ramesh Kumar

For Respondent : Mrs.P.Kavitha
Government Advocate for R1 to R3
Mr.P.Sesubalan Raja for R4

O R D E R

By consent, this writ petition is taken up for final disposal at the admission stage itself.

2. The case of the petitioner is that the petitioner joined duty in the 4th respondent school as a part time scavenger on 01.06.1999 and he has been receiving salary from the School on the last working day of every month by cash. The 4th respondent vide its letter dated 19.09.2006 has instructed the petitioner to open a savings account in any one of the Nationalized Bank and also, paid the salary to his bank account directly. Thereafter, the 4th respondent opened a service book as a Government Servant with effect from 01.06.1999, which was approved by the District Education Officer, Thanjavur. The grievance of the petitioner is that though he has rendered 19 years of service as a Scavenger, his service is not yet been regularized by the respondents and in this regard, the petitioner has repeatedly submitted his representations to regularize his service, based on G.O.Ms.No.22, Personnel and Administrative Reforms (P) Department dated 28.02.2006 and the last representation was on 26.11.2017. Since no response is forthcoming, the petitioner came forward to file this writ petition.

3. Heard both sides.

4. The learned counsel for the petitioner submitted that it would suffice, if a direction is issued to the respondent to consider the representation of the petitioner dated 26.11.2017 and pass orders, within a stipulated time fixed by this Court.

5. Though the petitioner has sought for a larger relief, this Court without going into the merits of the case, directs the respondents 1 to 3 to consider the petitioner's representation dated 26.11.2017 and pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of copy of this order.

6. With the above direction, this writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

Rka

To

1. The Secretary,
School Education Department,
Fort St. George,
Chennai 600 009.

2. The Director of School Education,
College Road, Egmore, Chennai 600 006.

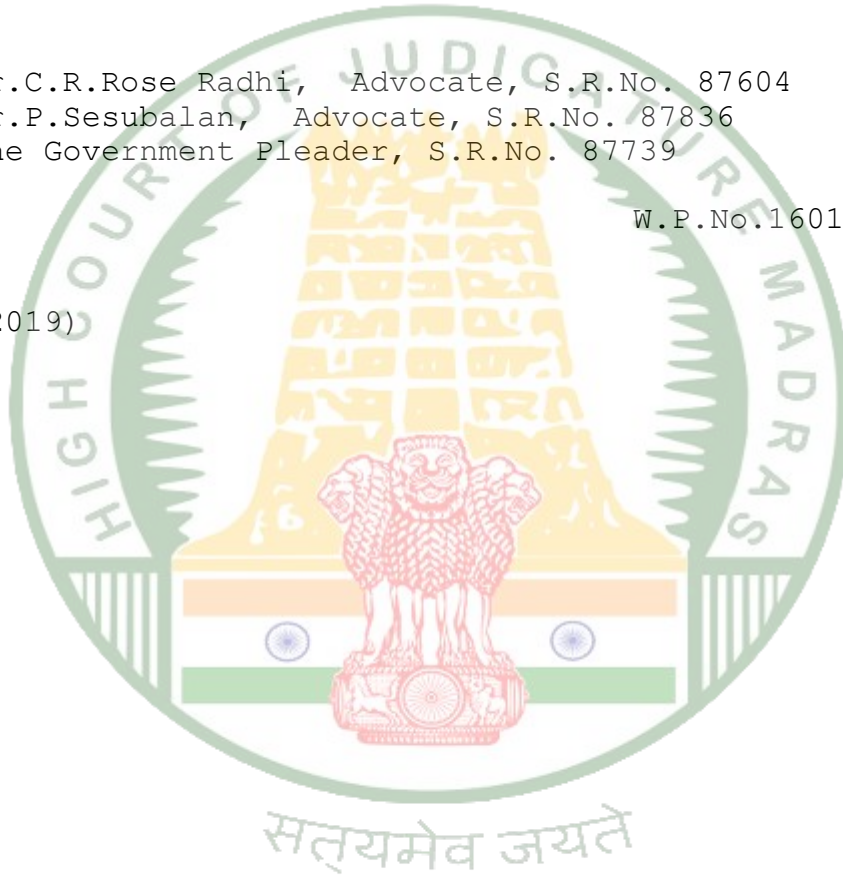
3. The District Educational Officer,
Thanjavur, District Education Office,
Near Siva Gangai Garden,
Thanjavur District - 613 001.

4. The Head Master,
Oriental Higher Secondary School,
1826, West Main Road,
Thanjavur District - 613 009

+1cc to Mr.C.R.Rose Radhi, Advocate, S.R.No. 87604
+1cc to Mr.P.Sesubalan, Advocate, S.R.No. 87836
+1cc to the Government Pleader, S.R.No. 87739

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VGI(CO)
GN(20/11/2019)



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