

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2019

CORAM

The Hon'ble Mr.Justice K.K.SASIDHARAN

AND

The Hon'ble Mr.Justice P.D.AUDIKESSAVALU

W.A.No.393 of 2017

and C.M.P.Nos.6175 and 6176 of 2017

- 1.The State of Tamil Nadu,
Rep. by Secretary to Government,
School Education Department,
Secretariat, Chennai 600 009.
- 2.The Assistant Elementary Educational
Officer, Tellar,
Tiruvannamalai District. ... Appellants

vs.

- 1.M.Velayuthan
- 2.A.Pushpavathi
- 3.A.Shanthi
- 4.G.Parimala
- 5.S.Dhanalakshmi
- 6.Oosuramal
- 7.M.D.Govindaraju
- 8.N.Ranganayagi
- 9.K.Ramalingam
- 10.C.Ramalingam
- 11.The District Collector,
Panchayat Development Wing,
Tiruvannamalai District.
- 12.The Block Development Officer,
(Village Panchayats), Tellar,
Tiruvannamalai District. .. Respondents

Appeal filed under Clause 15 of the Letters Patent against the order dated 01.06.2015 passed in W.P.No.14300 of 2015 on the file of this Court.

Prayer in W.P.No. 14300 of 2015: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to consider the claims of the petitioners for regularization in the post of Sweeper by appointing them on Special Time Scale of Pay as per the Government Order

No.385 Finance (Pay Cell) Department dt 1.10.2010 with all consequential benefits.

For Appellants : Mr.C.Munusamy
Spl.G.P.

For Respondents : Mr.J.Muthukumaran
for RR 2 to 4, 6, 7 and 9
: No appearance for RR 5, 8, 10,
11 and 12.

J U D G M E N T

(Order of the Court was made by Mr.K.K.Sasidharan, J.)

The learned Single Judge issued a mandamus directing the appellants to consider the case of the respondents for regularization in the light of Government Orders in G.O.Ms.No.385, Finance (Pay Cell) Department, dated 01.10.2010 and G.O.Ms.No.234, Finance (Pay Cell) Department, dated 01.06.2009 and taking into account the judgment of the High Court dated 04.08.2014 in Review Application No.207 of 2014 in W.P.No.13168 of 2013. Feeling aggrieved by the said order, the appellants have come up with this appeal.

2.The order impugned in this writ appeal is only a direction issued to the appellants to consider the matter. There was no positive direction given to the appellants to act in a particular manner. The learned Single Judge has only asked the appellants to consider the representation of the respondents for regularization in the light of certain Government Orders. It is for the appellants to consider the representation in the light of the Government Orders and to pass appropriate orders on merits. We direct the first appellant to conclude the said exercise as expeditiously as possible, and in any case, on or before 31.05.2019.

The writ appeal is, accordingly, disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

sra

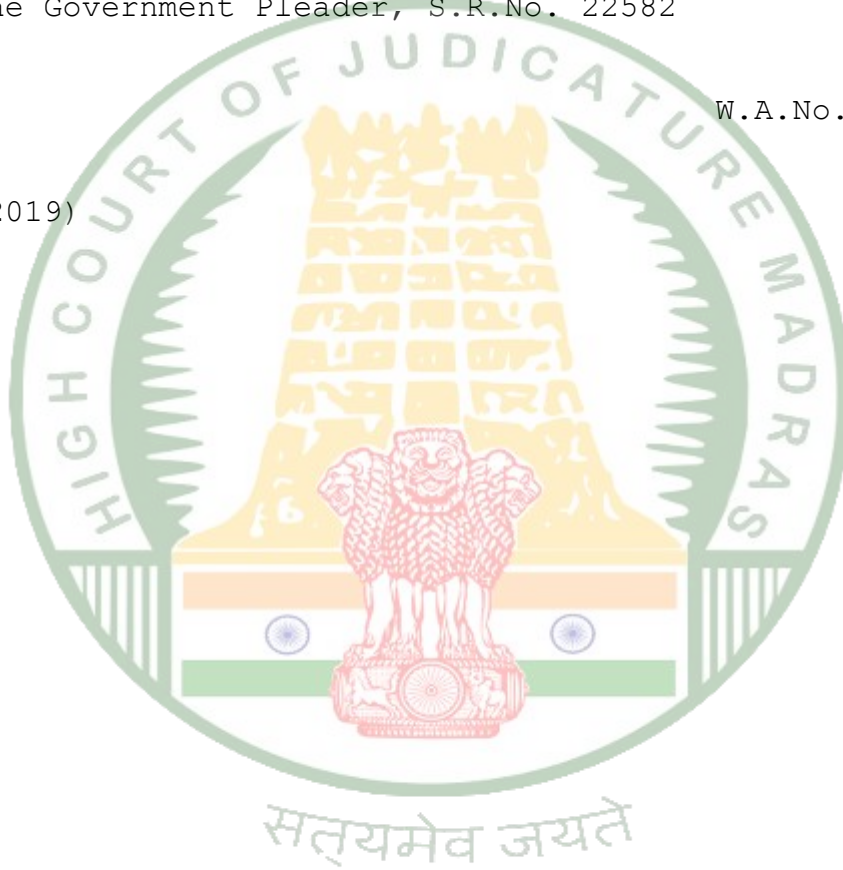
To:

- 1.The Secretary to Government of Tamil Nadu,
School Education Department,
Secretariat, Chennai 600 009.
- 2.The Assistant Elementary Educational
Officer, Tellar, Tiruvannamalai District.

+1cc to Mr.J.Muthukumaran, Advocate, S.R.No. 22313
+1cc to the Government Pleader, S.R.No. 22582

W.A.No.393 of 2017

PPA (CO)
GN(05/04/2019)



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