

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :12.11.2019

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.31852 of 2019

1 M.GANESHAN

... Petitioner

Vs.

1 The State of Tamil Nadu
Rep by its Secretary to Govt.,
Department of Education,
St. George Fort, Chennai.

2 The Director of School Education
O/o. The Director of School Education
Nungampakkam, Chennai.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to consider the petitioner representation dated 27.9.2019 for regularize the services of the petitioner with effect from the date of completion of 10 years of service in light of the order in Writ Appeal No. 1258 of 2019 with all monetary and service benefits

For Petitioner : Mrs.S.Esairani Narasimman

For Respondents : Mr.P.Kavitha, Government Advocate

O R D E R

The petitioner has filed this writ petition, seeking issuance of a Writ of Mandamus, to direct respondents to consider the petitioner representation dated 27.9.2019 for regularize the services of the petitioner with effect from the date of completion of 10 years of service in light of the order in Writ Appeal No. 1258 of 2019 with all monetary and service benefits.

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.

3.The case of the petitioner is that the petitioner was appointed as Office Assistant in the Government Higher Secondary School, Gingee, Villupuram District, in the year 2001 on consolidated basis. The grievance of the petitioner is that though he has put in 17 years of service on consolidated basis, so far, his service have not been regularised. According to the petitioner, similarly placed persons who had put in 10 years of service have been regularised by virtue of the orders of this Court. Therefore, the petitioner made a representation dated 27.09.2019 to the respondents, requesting them to regularise their service and as there was no action forthcoming from the respondents, the petitioner has come forward with this present Writ Petition.

4.The learned counsel appearing for the petitioner would submit that the petitioner has been working on consolidated pay for the last 17 years and the Government had issued G.O.Ms.Nos.22 dated 28.2.2006, granting the benefit of regularisation in respect of the daily wages employees on completion of 10 years of service. Further, the learned counsel would submit that the petitioner has put in more than 17 years of service as on date. Therefore, he prays that without going into the merits of the case, it would suffice, if this Court issues a direction to the respondents to consider the petitioner's representation dated 27.09.2019 and to pass appropriate orders.

5.Considering the facts and circumstance of the case and also the submission made by the learned counsel for the petitioner and in view of the fact that the petitioner has been working on consolidated basis for years together and as on date he has put in 17 years of service and this Court time and again has directed the authorities to regularise the services of the temporary employees who had put in 10 years of service, I am inclined to issue direction to the respondents to consider the petitioner's representation dated 27.09.2019 and pass appropriate orders, therein in the matter of regularisation of service of the petitioner, within a period of twelve weeks from the date of receipt of a copy of this order.

6. The writ petition is accordingly disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

jrs

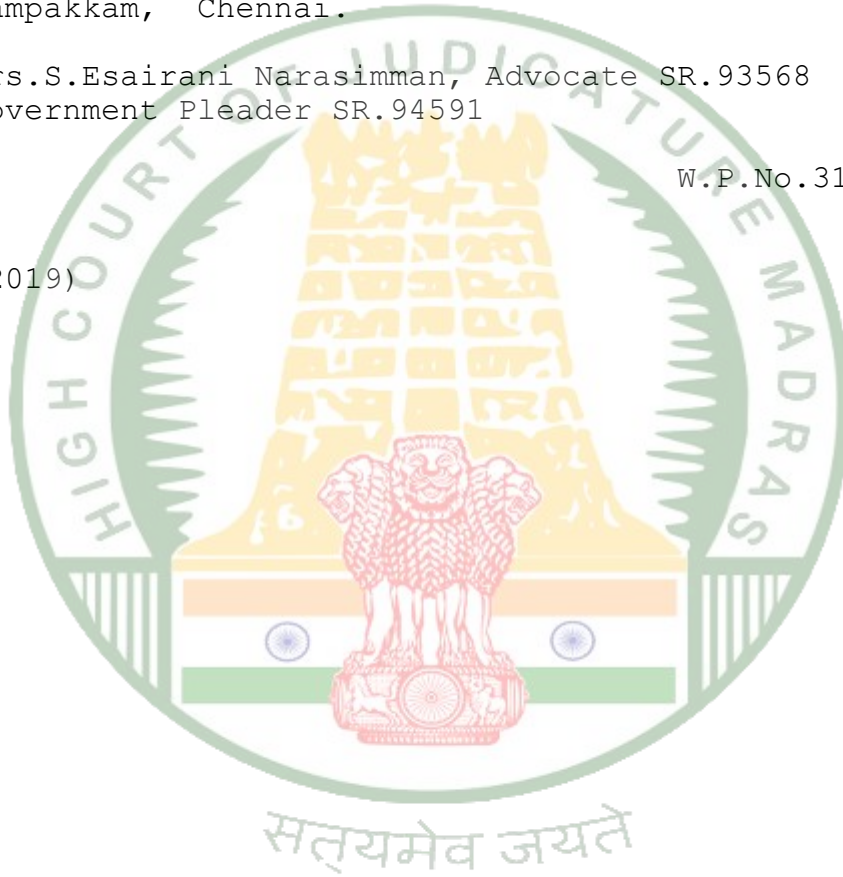
To

- 1 The State of Tamil Nadu
Rep by its Secretary to Govt.,
Department of Education,
St. George Fort, Chennai.
- 2 The Director of School Education
O/o. The Director of School Education
Nungampakkam, Chennai.

+1cc to Mrs.S.Esairani Narasimman, Advocate SR.93568
+1cc to Government Pleader SR.94591

W.P.No.31852 of 2019

CA(CO)
CB(11/12/2019)



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