

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :19.11.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.Nos.32305, 32310, 32312 & 32315 of 2019

W.P.No.32305 of 2019:

V.Sakthivinayagam

... Petitioner

Vs.

1.The Director of School Educational
DPI Campus
College Road
Chennai - 600 008

2.The District Educational Officer
Cuddalore
Cuddalore District

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the 2nd respondent to consider the representation of the petitioner dated 11.09.2018 and pass orders for appointing him as Office Assistant by transfer of service in the existing vacancies within a reasonable time as this Hon'ble Court may deem fit.

W.P.No.32310 of 2019:

S.Arul Prakash

... Petitioner

Vs.

1.The Director of School Educational
DPI Campus
College Road
Chennai - 600 008

2.The District Educational Officer
Cuddalore
Cuddalore District

... Respondents

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Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the 2nd respondent to consider the representation of the petitioner dated 05.09.2018 and pass orders for appointing him as Office Assistant by transfer of service in the existing vacancies within a reasonable time as this Hon'ble Court may deem fit.

W.P.No.32312 of 2019:

V.Revathi

... Petitioner

Vs.

1.The Director of School Educational
DPI Campus
College Road
Chennai - 600 008

2.The District Educational Officer
Viruthachalam Education Officer,
Viruthachalam District

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the 2nd respondent to consider the representation of the petitioner dated 05.09.2018 and pass orders for appointing him as Office Assistant by transfer of service in the existing vacancies within a reasonable time as this Hon'ble Court may deem fit.

W.P.No.32315 of 2019:

K.Manickam

... Petitioner

Vs.

1.The Director of School Educational
DPI Campus
College Road
Chennai - 600 008

2.The District Educational Officer
Cuddalore
Cuddalore District

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the 2nd respondent to consider the representation of the petitioner dated 09.10.2018 and pass orders for appointing him as Office Assistant by transfer of service in the existing vacancies within a reasonable time as this Hon'ble Court may deem fit.

For Petitioner : Mr.R.Rengaramanujam
(in all WPs)

For Respondents : Ms.P.Kavitha
(in all WPs) Government Advocate

O R D E R

Since the prayer in the above Writ Petitions are one and the same, they are clubbed together and a common order is passed.

2. The case of the petitioners is that they were recruited through employment exchange and appointed as Watchman in the office of the respondent Corporation and joined on various dates. They are in continuous service for the past seven years. The petitioners are fully qualified for the promotion to the post of Record Clerk and Office Assistant, for which Clerical experience in office work for two hours without affecting their routine work is necessary in terms of G.O.(MS).No.42, P&AR dated 15.02.1994.

3. It is their further case that the post of Watchman comes under the Class IV of Tamil Nadu Basic Service Rules and the post of Office Assistant comes under the Class III of the Tamil Nadu Basic Service Rules. In terms of Rule 3 of the Tamil Nadu Basic Service Rules, appointment to the post of Office Assistant can be made by transfer of service. Therefore the petitioners made representations on 05.09.2018 and 09.10.2018 respectively, to the respective 2nd respondent for appointing them by transfer of service to the post of Office Assistant. Since, no action was taken, the present Writ Petitions are filed.

4. The learned counsel appearing for the petitioners would submit that it would be suffice to issue direction to the respondents to consider and dispose of the representations made by the respective petitioners dated 05.09.2018 and 09.10.2018 respectively, in accordance with law.

5. Considering the facts and circumstances of the case and the limited request made by the learned counsel for the petitioners, I am inclined to issue direction to the respondents

to dispose of the representations made by the respective petitioners dated 05.09.2018 and 09.10.2018 respectively, if not disposed already within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above direction, the Writ Petitions are disposed of. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1.The Director of School Educational,
DPI Campus,
College Road,
Chennai - 600 008.

2.The District Educational Officer,
Cuddalore,
Cuddalore District.

3.The District Educational Officer,
Viruthachalam Education Officer,
Viruthachalam District.

+4cc to Mr.R.Rengaramanujam, Advocate Sr.95909,95907, 95908,
95910

+1cc to the Government Pleader Sr.97055

W.P.Nos.32305, 32310, 32312 & 32315 of 2019

pvs[co]
srg 27/12/2019

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