

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 29.11.2019
CORAM
THE HON'BLE MR.JUSTICE M.DHANDAPANI
W.P.No.33426 of 2019

M.Balan

... Petitioner

Vs.

1.The Government of Tamilnadu,
rep.by its Principal Secretary,
School Education Department,
Secretariat, Fort St.George,
Chennai-600 009.

2.The Director of School Education,
Chennai-600 006.

3.The Joint Director of School Education,
Chennai-600 006.

4.The Chief Educational Officer,
Thiruvannamalai.

5.The District Educational Officer,
Polur, Thiruvannamalai District.

6.The Headmaster,
Government Higher Secondary School,
Polur,
Thiruvannamalai District.

...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 10.10.2018, submitted with request to regularize his service and disburse all terminal benefits and also pensionary benefits payable to the petitioner in the light of 1st respondent Government letter (Nilai) No.235, dated 23.11.2006.

For Petitioner : Mr.P.Murali

For Respondents : Mr.P.Raja, Government Advocate

O R D E R

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

2.The case of the petitioner is that the District Educational Officer, Thiruvannamalai was sent his petitioner's proposal to the 3rd respondent in his proceedings in Na.Ka.No.5277/A1/2014, dated 16.10.2014. The 3rd respondent has kept the proposal pending without passing any order. Hence, the petitioner made several representations to the respondent and the District Educational Officer, Thiruvannamalai also recommended his proposal, even thereafter the 3rd respondent has not come forward to regularize his service and for claim of terminal benefits and also pensionary payable to him. Since the representation of the petitioner has not been considered, the petitioner has filed the present petition with the aforesaid prayer.

3.The learned counsel for the petitioner submitted that, it would suffice if a direction is passed to the 3rd respondent to consider the proposal sent by the District Educational Officer and also to consider the representation of the petitioner dated 10.10.2018, within a reasonable time fixed by this Court.

4.The learned Government Advocate would accede to the submission made by the learned counsel for the petitioner and submitted that if any such proposal and representation was received by the respondents, the same will be considered on merits and in accordance with law.

5.Thus, without going into the merits of the case, this Court is inclined to direct the 3rd respondent to consider the proposal sent by the 5th respondent and also to consider the representation of petitioner dated 10.10.2018 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 directions, the writ petition stands disposed of. No costs.

Sd/-

Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

kas

To.

1.School Education Department,
Secretariat, Fort St.George,
Chennai-600 009.

2.The Director of School Education,
Chennai-600 006.

3.The Joint Director of School Education,
Chennai-600 006.

4.The Chief Educational Officer,
Thiruvannamalai.

5.The District Educational Officer,
Polur, Thiruvannamalai District.

6.The Headmaster,
Government Higher Secondary School,
Polur,
Thiruvannamalai District.

+1 cc to Mr.P.Murali Advocate sr99704

+1 cc to the Government Pleader sr100746

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