

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 27.04.2019

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WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN**W.P(MD)No.10469 of 2019**

Simson Samuel

... Petitioner

Vs.

- 1.The Secretary to Government,
Education Department,
State of Tamil Nadu,
Secretariat, St. Fort George,
Chennai - 9.
- 2.The Director of School Education,
College Road, Chennai - 6.
- 3.The District Educational Officer,
Tiruchendur,
Thoothukudi District.
- 4.The Correspondent,
Ambrose Higher Secondary School,
Megnanapuram,
Thoothukudi District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the respondents to pay monetary and service benefits for the period from 01.12.2008 to 08.03.2013 as Watchman in the fourth respondent School by considering his representation, dated 04.02.2019 within the time stipulated by this Court.

For Petitioner : Mr.T.A.Ebenezer

For RR 1 to 3 : Mrs.S.Srimathy,
Special Government Pleader.**ORDER**

This writ petition has been filed seeking issuance of a writ of Mandamus, to direct the respondents to pay monetary and service benefits to the petitioner for the period from 01.12.2008 to 08.03.2013 as Watchman in the fourth respondent School, by considering his representation, dated 04.02.2019 within the time stipulated by this Court.

2.Heard the learned counsel appearing for the petitioner and



the learned Special Government Pleader appearing for the respondents 1 to 3.

3. The grievance of the petitioner is that he was appointed as a Watchman in the sanctioned post by the fourth respondent School on 01.12.2008 and he was re-appointed as Office Assistant on 08.03.2013 and the proposal sent for approval was returned. Challenging the same, the petitioner filed a writ petition and subsequent to the order of this Court, the petitioner's appointment was approved by the fourth respondent on 14.03.2017. Since the petitioner was eligible to get service and monetary benefits from the date of his appointment as Watchman i.e., on 01.12.2008, the petitioner submitted a representation to the respondents 1 to 3 on 04.02.2019. But, till date no orders have been passed on the said proposal. Hence, the petitioner is before this Court.

4. The learned Special Government Pleader appearing for the respondents 1 to 3 submitted that the representation of the petitioner would be considered on merits.

5. In view of the above, this Court, without going into the merits of the case, directs the respondents 1 to 3 to consider the representation of the petitioner, dated 04.02.2019 seeking monetary and service benefits for the period from 01.12.2008 to 08.03.2013 and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of hearing to the petitioner. Such an exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Secretary to Government,
Education Department,
State of Tamil Nadu,
Secretariat, St. Fort George,
Chennai - 9.

<https://hcservices.ecourts.gov.in/hcservices/>
2. The Director of School Education,
College Road, Chennai - 6.



3.The District Educational Officer,
Tiruchendur,
Thoothukudi District.

4.The Correspondent,
Ambrose Higher Secondary School,
Megnanapuram,
Thoothukudi District.

+1cc to Mr.T.A.Ebenezer, Advocate, SR.No. 63504

+1cc to M/s.Special Government Pleader,SR.No. 6+4051

W.P (MD) No.10469 of 2019
27.04.2019

PS

KK/SAR/21.05.2019/ 3P- 7C