



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.04.2019

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WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVANW.P(MD) No.11267 of 2019

M.Dhanalakshmi

... Petitioner

vs.

1.The Principal Secretary to
Government of Tamil Nadu,
Department of School Education,
Secretariat, Chennai.

2.The Director of School Education,
Chennai.

3.The Chief Educational Officer,
Chennai.

4.The District Educational Officer,
Aranthangi Post & Taluk,
Pudukottai 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 regularize the service of the petitioner in the light of the order passed in W.P.No.29806 of 2010 dated 23.12.2010 with effect from the date of her initial appointment.

For Petitioner : Mr.P.Ganapathi Subramanian

For Respondents : Mrs.S.Srimathy
Special Government Pleader

ORDER

This writ petition has been filed seeking a direction to the respondents to regularize the service of the petitioner, in the light of the order passed in W.P.No.29806 of 2010 dated 23.12.2010, with effect from the date of her initial appointment.

2.Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents. By consent, the writ petition itself is taken up for final disposal at the stage of admission.



3.The case of the petitioner is that she was appointed as Sweeper in the Government Boys Higher Secondary School, Anangudi through Employment Exchange on 22.12.2000 and she is rendering service for the past 18 years, on daily wages. However, till date, her service was not regularised, even in series of judgments, this Court, directed the Government to regularise the services of the persons, who had worked for more than ten years. Hence, seeking such benefit and citing the orders passed by this Court, the petitioner made a representation dated 13.12.2018 to the respondents. Since the same has not been considered so far by the respondents, this writ petition has been filed.

4.The learned counsel appearing for the petitioner submitted that this Court, in a writ petition filed by the similarly placed persons in W.P.No.29806 of 2010 dated 23.12.2010 passed orders, directing the respondents therein to consider the petitioners' representations in the light of the judgment of the Division Bench of this Court in The Director of School Education and others V. P.Subramani and the order of this Court in M.Kumar V. The Director of School Education and others and taking note of the Government Orders, which enable the regularisation of services, where the person has been in employment for long period and pass orders within eight weeks. Hence, the learned counsel prayed for appropriate direction to the respondents.

4.The learned Special Government Pleader appearing for the respondents, on instructions, submitted that the representation of the petitioner would be considered on merits and appropriate orders be passed by the respondents.

5.In view of the above submission, this Court, without going into the merits of the case, directs the respondents to consider the petitioner's representation dated 13.12.2018, in the light of the order passed by this Court in W.P.No.29806 of 2010 dated 23.12.2010 and pass appropriate orders on merits and inaccordance with law, within a period of eight weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner.

6.The writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar ()

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To

1.The Principal Secretary to
Government of Tamil Nadu,
Department of School Education,
Secretariat, Chennai.

2.The Director of School Education,
Chennai.

3.The Chief Educational Officer,
Chennai.

4.The District Educational Officer,
Aranthangi Post & Taluk,
Pudukottai District.

+1 CC to M/s.P.GANAPATHI SUBRAMANIAN, Advocate (SR-64530[F] dated
30/04/2019)

+1 CC to M/s.SPL GP (SR-64885[F] dated 02/05/2019)

mj

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30.04.2019

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