



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :30.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

WP (MD)No.11410 of 2019  
and  
WMP (MD)No.11410 of 2019

K.Syamala Kumari

... Petitioner

Vs.

1.The State of Tamil Nadu,  
Represented by its Secretary to Government,  
School Education Department,  
St.George Fort, Chennai - 600 009.

2.The Director of School Education,  
DPI Campus, College Road,  
Chennai - 600 006.

3.The District Educational Officer,  
Kuzhithurai Educational District,  
Marthandam,  
Kanyakumari District.

4.The Secretary,  
Sri Devi Girls Higher Secondary School,  
Kollemcod,  
Kanyakumari District.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records in connection with the impugned order passed by the 3<sup>rd</sup> respondent in Na.Ka.No.8728/A2/2012, dated 28.06.2018, quash the same and consequently directing the respondents 1 to 4 herein to regularize the service of the petitioner as Full Time Sweeper on completion of ten years of Part-time services from 14.07.1977 and to pay time Scale of Pay and other monetary benefits payable from 14/07/1987 and also sanction Pension to the petitioner by reckoning 50% of the total Service reduced by the Petitioner in the 4<sup>th</sup> Respondent School form 14/07/1977 to 31/03/2017 and confer all monetary benefits.

For Petitioner  
For Respondents

: Mr.S.Bharathy Kannan  
: Mrs.S.Srimathy,  
Special Government Pleader

**COMMON ORDER**

Seeking a Writ of Certiorarified Mandamus to quash the impugned order passed by the 3<sup>rd</sup> respondent in Na.Ka.No.8728/A2/2012, dated 28.06.2018 and consequently direct the respondents to regularize the service of the petitioner as Full Time Sweeper on completion of ten years of Part-time services from 14.07.1977, this writ petition has been filed.

2.Heard the learned Counsel appearing for the petitioner and the learned Special Government Pleader, who takes notice for the respondents. By consent, the Writ Petition is taken up for final disposal at the stage of admission itself.

3.The learned Counsel for the petitioner submitted that the petitioners relying on the order of this Court in WP(MD)No.8747 of 2009 dated 14.07.2009 and the order of the Hon'ble Apex Court in CC No.2746 of 2010 dated 23.04.2010, submitted their representations, seeking to extend the benefits of GO.Ms.No.216, Finance (PC) Department dated 22.03.1993 to the petitioners. However, the representations of the petitioners have not been considered by the respondents so far. Hence, the petitioners are before this Court.

4.The learned Special Government Pleader appearing for the respondents, on instructions, submitted that the representations of the petitioners would be considered on merits and in accordance with law by the respondents.-

5.In view of the above submission made by the learned Counsel on either side, without going into the merits of the case, the respondents to consider the petitioners' respective representations dated 16.02.2019, on merits and in accordance with law and also in the light of the orders of this Court and Hon'ble Apex Court and the Government Orders cited supra and pass necessary orders, after affording opportunity of hearing to the petitioners, within a period of eight 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.

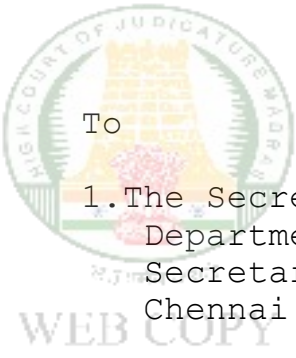
Sd/-

Assistant Registrar (C.O)

// True Copy //

Sub Assistant Registrar(CS )

dsk



To

1.The Secretary to Government of Tamil Nadu,  
Department of Finance (Pay Cell),  
Secretariat, Fort St.George,  
Chennai.

2.The Director of School Education (Higher Secondary)  
College Road,  
Chennai - 600 006.

3.The District Educational Officer,  
Trichy District.

4.The Secretary,  
Sri Devi Girls Higher Secondary School,  
Kollemcod,  
Kanyakumari District.

+1 CC to M/s.S.BHARATHY KANNAN, Advocate SR-64609.

+1 CC to SPL GP SR-64882.

**ORDER MADE IN  
WP (MD) Nos.11419 to  
11423 of 2019  
30.04.2019**

CS: (04/06/2019) 3P 7C