



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE **R. MAHADEVAN**

W.P. (MD) No.4003 of 2019

WEB COPY

R.Pandimeenal

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
represented by its Secretary,
Education Department,
Secretariat, Chennai -9.
- 2.The Director of Elementary Education,
College Road, Chennai -6.
- 3.The District Educational Officer,
Thirupathur, Sivagangai District - 630 211.
- 4.The Block Educational Officer-II,
Thirupathur, Sivagangai -630 211.
- 5.The Correspondent,
S.P.D.Kalasalai Middle School,
Kandavarayanpatti,
Thirupathur Taluk, Sivagangai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the second respondent to consider and pass order on the representation of the petitioner, dated 20.01.2018 with regard to approval of the appointment of the petitioner w.e.f., 07.02.1996, as Secondary Grade Teacher in the 5th respondent school and selection grade and special grade w.e.f., 07.02.2006 and 07.02.2016 with all consequential benefits in the light of the order passed in W.P.No.16236 of 1998, dated 11.06.2008.

For Petitioner
For R1 to R4

: Mr.T.Pon Ramkumar
: Mrs.S.Srimathy
Special Government Pleader

ORDER

Seeking for a direction to the second respondent to consider the petitioner's representation, dated 20.01.2018 with regard to approval of the appointment of the petitioner w.e.f., 07.02.1996, as Secondary Grade Teacher in the 5th respondent school and for granting of selection grade and special grade with all consequential benefits in the light of order of this Court in W.P.No.16236 of 1998, dated

11.06.2008, the present writ petition has been filed.

2. Heard the learned Counsel appearing on both sides and perused the materials available on record.

3. It is the case of the petitioner that she was initially appointed as a Pre-Vocational Instructor on 19.02.1988 and thereafter, appointed as Secondary Grade Teacher on 07.02.1996 in the fifth respondent School and till date, she is working in the said school. By replying upon the order of this Court dated 11.06.2008, in W.P.No.16236 of 1998, wherein, this Court directed the authorities to regularise the service of the petitioner thereon right from the date of his initial appointment, she made a representation, dated 20.01.2018, to the respondents seeking approval of her appointment right from 07.02.1996 and also for grant of selection grade and special grade with consequential benefits. However, the said representation has not been considered so far. Hence, the present writ petition came to be instituted.

4. The learned Special Government Pleader, on instructions, submitted that the representation of the petitioner would be considered on merits within the time stipulated by this Court.

5. Under such facts and circumstances of the case, this Court, without going into the merits of the case, directs the second respondent to consider the representation of the petitioner, dated 20.01.2018, on merits and in accordance with law and also in the light of the order of this Court in W.P.No.16236 of 1998, dated 11.06.2008, after affording opportunity of hearing to the petitioner, and if she is found fit, pass appropriate orders, within a period of eight weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (CS III)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Secretary,
Education Department,
Secretariat, Chennai -9.



2.The Director of Elementary Education,
College Road, Chennai -6.

3.The District Educational Officer,
Thirupathur, Sivagangai District - 630 211.

4.The Block Educational Officer-II,
Thirupathur, Sivagangai -630 211.

+1cc to Mr.T.PON RAMKUMAR, Advocate, SR.No.55880

+1cc to M/s.Special Government Pleader,SR.No. 56263

ORDER MADE IN
W.P. (MD) No.4003 of 2019
21.03.2019

CMR
KK/SAR/16.04.2019/ 3P- 7C