



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.03.2019

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) Nos.5870 to 5872 of 2019

N.Samiyathal .. Petitioner in WP(MD)No.5870/2019
K.Rama .. Petitioner in WP(MD)No.5871/2019
R.Ganesan .. Petitioner in WP(MD)No.5872/2019

vs.

1.State of Tamil Nadu,
rep.by it's Secretary,
School Education Department,
Fort St. George,
Chennai - 600 009.

2.The Director of Elementary Education,
Nungambakkam,
Chennai - 600 006.

3.The Chief Educational Officer,
O/o.the Chief Educational Office,
Collectorate Campus,
Karur, Karur District.

4.The District Educational Officer,
O/o.the District Educational Office,
Karur, Karur District.

... Respondents in all W.Ps.

Prayer: Writ Petitions filed under Article 226 of the Constitution of India praying to issue a Writ of mandamus to direct the respondents to regularize the service of the petitioners as Secondary Grade Teachers w.e.f. 03.01.2002 as was granted in respect of the similarly placed persons vide G.O.Ms.No.143 School Education (S-2) Department dated 25.06.2007 and G.O.(3D)No. 128 School Education (G2) Department dated 28.09.2011 and by considering the petitioners' representations date 28.11.2018, 01.09.2018 and 19.09.2018 respectively within the period that may be stipulated by this Court.



For Petitioners : Mr.C.Venkateshkumar
For Respondents : Mrs.S.Srimathy
Special Government Pleader
in all writ petitions.

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COMMON ORDER

These writ petitions have been filed seeking a direction to the respondents to consider the petitioners' representations dated 28.11.2018, 01.09.2018 and 19.09.2018 respectively, seeking regularization of the petitioners' services as Secondary Grade Teachers with effect from 03.01.2002 as was granted in respect of the similarly placed persons vide G.O.Ms.No.143 School Education (S-2) Department dated 25.06.2007 and G.O.(3D)No.128 School Education (G2) Department dated 28.09.2011.

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

3.The case of the petitioners, in brief, is as follows:

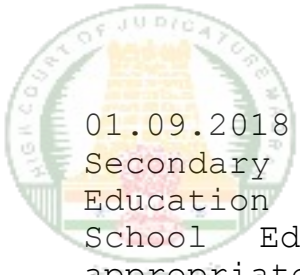
(i)The petitioners registered their names in the District Employment Exchange, Karur, for appointment to the post of Secondary Grade Teacher. In view of seniority, the petitioners had to be called for certificate verification scheduled on 03.01.2002, but, they were called only on 11.01.2002.

(ii)Pursuant to the Certificate Verification on 03.01.2002, in all other Districts, the posts of Secondary Grade Teachers were filled up and in so far as Karur District is concerned, the candidates who participated in Certificate Verification on 11.02.2002 alone were not given appointment, despite having seniority and qualification.

(iii)In respect of similarly placed persons, the Government, vide G.O.Ms.No.143 School Education (S-2) Department dated 25.06.2007 and G.O.(3D)No.128 School Education (G2) Department dated 28.09.2011, regularized the services of the respective candidates with effect from 03.01.2002. The petitioners, being the similarly placed persons, were not given such benefit. Therefore, they made representations dated 28.11.2018, 01.09.2018 and 19.09.2018 to the respondents and the same are pending without consideration. Hence, these writ petitions have been filed.

4.The learned Additional Government Pleader appearing for the respondents, on instructions, submitted that the representations of the petitioners would be considered on merits.

5.In view of the above submission, this Court, without going into the merits of the matter, directs the respondents to consider the petitioners' respective representations dated 28.11.2018,



01.09.2018 and 19.09.2018, seeking regularization of service as Secondary Grade Teacher, in the light of G.O.Ms.No.143 School Education (S-2) Department dated 25.06.2007 and G.O.(3D)No.128 School Education (G2) Department dated 28.09.2011 and pass appropriate orders on merits and in accordance 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 petitioners.

6.The writ petitions are disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (P AND A)

// True Copy //

Sub Assistant Registrar(CS)

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To

- 1.The Secretary,
State of Tamil Nadu,
School Education Department, Fort St. George,
Chennai - 600 009.
- 2.The Director of Elementary Education,
Nungambakkam, Chennai - 600 006.
- 3.The Chief Educational Officer,
O/o.the Chief Educational Office,
Collectorate Campus,
Karur, Karur District.
- 4.The District Educational Officer,
O/o.the District Educational Office,
Karur, Karur District.

1 CC to M/s.SPL GP (SR-53934[F] dated 14/03/2019)
+3 CCS to M/s.AJMAL ASSOCIATES, Advocate (SR-54157,54159,54158)

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DS/ /SAR- (11.04.2019) 3P 9C