



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.04.2019

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) No.9730 of 2019

M.Elangovan

... Petitioner

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

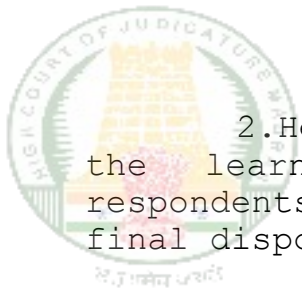
Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of mandamus to direct the respondents to regularize the service of the petitioner as secondary Grade Teachers w.e.f. 11. 01.2002 as was granted in respect of the similarly placed persons vide G.O.Ms.No.143 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 petitioner's representation dated 12.07.2018 within the period that may be stipulated by this Court.

For Petitioner : Mr.C.Venkateshkumar

For Respondents: Mrs.S.Srimathy
Special Government Pleader

ORDER

This writ petition has been filed seeking a direction to the respondents to consider the petitioner's representation dated 12.07.2018, seeking regularization of his service as Secondary Grade Teacher with effect from 11.01.2002 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 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, in brief, is as follows:

(i) The petitioner registered his name in the District Employment Exchange, Karur, for appointment to the post of Secondary Grade Teacher. In view of seniority, the petitioner had to be called for certificate verification scheduled on 03.01.2002, but, he was 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 11.01.2002 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 petitioner, being a similarly placed person, was not given such benefit. Therefore, he made a representation dated 12.07.2018 to the respondents and the same is pending without consideration. Hence, this writ petition has been filed.

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

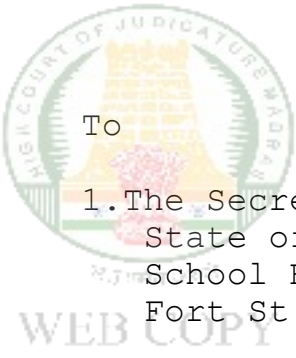
5. In view of the above submission, this Court, without going into the merits of the matter, directs the respondents to consider the petitioner's representation dated 12.07.2018, seeking regularization of service as Secondary Grade Teacher, in the light of G.O.Ms.No.143 School Education (S-2) Department 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 petitioner.

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

Sd/-

Assistant Registrar(Writs)

/TRUE COPY/



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.AJMAL ASSOCIATES, Advocate (SR-62576[F] dated
25/04/2019)

+1 CC to M/s.SPL GP (SR-62959[F] dated 26/04/2019)

W.P(MD) No.9730 of 2019
24.04.2019

CS: 16/05/2019/3P/7C