



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED:02.04.2019
CORAM

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

WEB COPY

W.P(MD) No.5846 of 2015

K.Maruthamuthu

... Petitioner

vs.

- 1.The Director of School Education,
College Road,
Chennai-06.
- 2.The District Educational Officer,
Karur District,
Karur.
- 3.The Headmaster,
Government High School
Thammanaickanpatti
Thennilai,
Karur District.

... Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st respondent to pass appropriate orders relaxing the condition of services less than one year as provided in G.O.Ms.No.1077-Personnel and Administrative Reforms Department dated 1.12.1987 in the light of the order passed in W.P.(MD)No.7806 of 2007 dated 28.1.2013 by this Hon'ble Court and thereby pass orders for completion of the petitioner's probation period and regularization of his services with effect from 31.10.1991 with all attendant benefits.

For Petitioner	:	Mr.S.Ramu
For Respondents	:	Mr.V.Anand
		Govt. Advocate for RR-1 to 3

ORDER

The Writ Petition has been filed seeking a direction to the 1st respondent to relax the condition of services less than one year as provided in G.O.Ms.No.1077-Personnel and Administrative Reforms Department dated 1.12.1987 and also in the light of the order passed in W.P.(MD)No.7806 of 2007 dated 28.1.2013 by this Court and pass orders for completion of the petitioner's probation period and regularization of his services with effect from 31.10.1991 with all attendant benefits.

2. The case of the petitioner is that he was sponsored by the District Employment Officer, Karur for the post of Watchman in the Government High School, Aragunilaipalayam. Thereafter, based



on G.O.Ms.No.1133, dated 01.12.1986 and G.O.Ms.No.1077 dated 01.12.1987, Employees and Administrative Reformation Department, he was appointed as Office Assistant in the Government High School Kurunikulathupatti. Thereafter, the first respondent issued orders dated 03.08.1993, regularizing the services as Watchman and directed him to work continuously for one more year after completion of 2 years of his probation period. After completion of the said period, he made representations to the second respondent to issue orders for completion of his probation period and regularization of his services as Office Assistant. But the second respondent, by an order dated 25.09.1997, regularized the services of the petitioner and directed him to work under probation for two years continuously in 3 years probation period or one year continuously in 2 years probation period. After completion of his probation period, the Headmaster of Velliyanai Government Higher Secondary School sent a proposal to the second respondent dated 14.12.1999. Even thereafter, the second respondent has not issued any orders. Hence, the petitioner made representations and reminders to the second respondent, marking a copy to the Chief Educational Officer, Karur. Since there was no response, the present writ petition has been filed by the petitioner for the aforesaid relief.

3. Heard Mr.S.Ramu, the learned Counsel appearing for the petitioner, who submitted that it would suffice, if the representation of the petitioner is directed to be considered by the second respondent, for which Mr.V.Anand, learned Government Advocate appearing for the respondents, has no serious objection.

4. In view of the above submission, this Court directs the second respondent to consider the representation of the petitioner dated 29.03.2013, in the light of G.O.Ms.No.1077-Personnel and Administrative Reforms Department dated 1.12.1987 and also in the light of the order passed by this Court in W.P.(MD)No.7806 of 2007 dated 28.1.2013 and pass appropriate orders, after affording an opportunity of personal hearing to the petitioner. The said exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

5. 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 Director of School Education,
College Road,
Chennai-06.

2.The District Educational Officer,
Karur District,
Karur.

3.The Headmaster,
Government High School
Thammanaickanpatti
Thennilai,
Karur District.

+1 CC to M/s.S.RAMU, Advocate (SR-58409[F] dated 02/04/2019)

+1 CC to M/s.SPL GP (SR-58549,58608[F] dated 03/04/2019)

VS

W.P(MD) No.5846 of 2015
02.04.2019

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