

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 28.06.2019****CORAM:****THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM****W.P. (MD) No.7342 of 2013**

WEB COPY

V.Natarajan

... Petitioner

vs.

1.The State of Tamil Nadu
rep.by its Secretary
School Education Department
Secretariat, Chennai-600 009

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

3.The District Educational Officer
Theni District, Theni

4.The District Educational Officer
Uthamapalayam, Theni District

5.The Assistant Elementary Educational Officer
Cumbum, Theni District

6.The Headmaster
Government High School
Uthamapalayam, Theni District

7.The Principal Accountant General
of Tamil Nadu (A & E)
361, Annasalai, Teynampet
Chennai-600 018

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the respondents to dispose of petitioner's representation dated 26.11.2012 and to regularize the service of the petitioner with fixation of pay in the time scale of pay of Rs.200-5-300 with effect from 09.04.1980 and consequently grant all the service, monetary

**ORDER**

The relief sought for in the present writ petition is for a direction to the respondents to dispose of the representation submitted by the writ petitioner on 26.11.2012 and to regularize his services with retrospective effect and to grant him all the monetary and pensionary benefits.

2. The learned counsel for the writ petitioner admitted the fact that the services of the writ petitioner were regularized from the year 1985. The writ petitioner was served in the regular post and retired from service during the year 2011. The present writ petition itself was filed on 25.04.2013, after a lapse of two years from the date of his retirement.

3. The benefit of regularization of services, which was granted in favour of the writ petitioner during the year 1985, was accepted by him till the date of his retirement. The writ petitioner has admitted the date of regularization, got all benefits and now, he is receiving pension. After a lapse of two years from the date of retirement, the present writ petition is filed seeking retrospective regularization from the date of his initial appointment in the year 1980. Such a claim is not only a stale, but, is filed belatedly. The writ petitioner has not pursued his remedy vigilantly within the permissible time limit.

4. In view of the fact that the writ petitioner accepted the regularization of his services, got promoted to the higher post and retired from service during the year 2011. Thus, he cannot now seek retrospective regularization of services from the date of his initial appointment. Therefore, the writ petition is devoid of merits and the same is dismissed. No costs.

Sd/-

Assistant Registrar (CO)

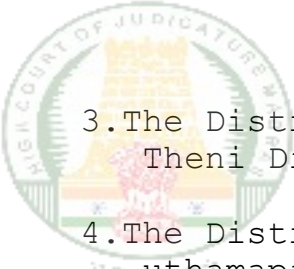
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Sub Assistant Registrar(CS)

To

1.The Secretary,
School Education Department,
State of Tamil Nadu,
Secretariat, Chennai-600 009.

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



3.The District Educational Officer,
Theni District, Theni.

4.The District Educational Officer,
Uthamapalayam, Theni District.

5.The Assistant Elementary Educational Officer,
Cumbum, Theni District.

6.The Headmaster,
Government High School,
Uthamapalayam, Theni District.

+1 CC to Mr.P.GUNASEKARAN, Advocate (SR-72400[F] dated 01/07/2019)

+1 CC to Mr.A.THIRUMURTHY, Advocate (SR-72319[F] dated 28/06/2019)

+1 CC to SPL GP (SR-72433[F] dated 01/07/2019)

W.P.(MD) No.7342 of 2013

28.06.2019

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