

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:30.09.2020

CORAM :

THE HON'BLE MR.A.P.SAHI, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.A.No.907 of 2020

M.Ranjitham

Appellant

Vs.

1.The Director of of School Education,
College Road,
Chennai - 600 006.

2.The Chief Educational Officer,
Nagercoil,
Kannayakumari District.

3.The Accountant General (A&E),
Teynampet,
Chennai - 600 018.

4.The State of Tamil Nadu,
rep. by Secretary,
Educational Department,
Fort St. George,
Chennai - 600 009.

Respondents

Prayer: Appeal filed under Clause 15 of the Letters Patent against the order of this Court dated 28.9.2018 made in W.P.No.40009 of 2015.

Prayer in WP.40009 of 2015: Filed Under Article calling for the records relating to order of the 1st respondent in MOP.MU.No.32651/VI/EB/2011 dated 12/04/2012 and quash the same and direct the respondents to pass orders regularising the services of the petitioner in the past of part time vocational instructor with effect from 9/7/1979 as per the Government orders and of consequently grant the 2nd and 3rd incentive

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increments with revision in pension and pensionary benefits.

For Appellant : Mr.R.Karthikeyan

For Respondents : Mr.C.Munusamy
Spl. Govt. Pleader (Edn.)

JUDGMENT

(Delivered by The Hon'ble Chief Justice)

Learned counsel for the appellant has advanced his submissions on the previous occasion contending that the learned Single Judge did not advert to the issue of regularization raised by the appellant and the writ petition was disposed of with a batch of writ petitions concerning the grant of incentive increments.

2. We have considered the submissions raised and we find that the writ petition, giving rise to the present appeal, ought to have been decided separately, keeping in view the issue of regularization raised by the appellant. The writ petition appears to have been disposed of without taking this into account and therefore, the disposal of W.P.No.40009 of 2015 along with a batch of writ petitions appears to have been inadvertently carried out. We, therefore, allow this appeal to this extent that the impugned judgment dated 28.9.2018 in so far as the appellant is concerned only is set aside. The writ petition giving rise to the present appeal shall stand restored to its original number.

3. Learned counsel for the State may file his response in the writ petition separately and the matter shall be listed before the learned Single Judge having the roster for deciding the writ petition finally.

The appeal is allowed to the aforesaid extent. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Director of of School Education,
College Road,
Chennai - 600 006.

2.The Chief Educational Officer,
Nagercoil,
Kannayakumari District.

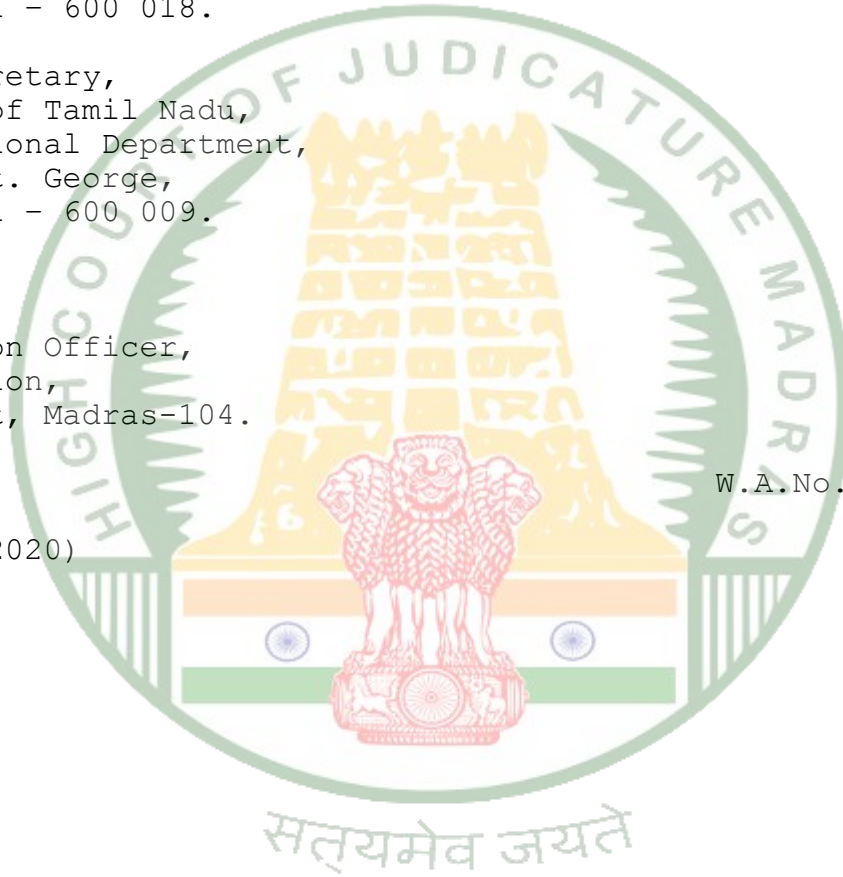
3.The Accountant General (A&E),
Teynampet,
Chennai - 600 018.

4.The Secretary,
State of Tamil Nadu,
Educational Department,
Fort St. George,
Chennai - 600 009.

Copy to:
The Section Officer,
Writ Section,
High Court, Madras-104.

EV(CO)
CB(02/11/2020)

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