



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.03.2020

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THE HONOURABLE MRS.JUSTICE **J.NISHA BANU**

W.P (MD) No.5171 of 2020

A.Umapathi

.. Petitioner

Vs.

1.State of Tamilnadu,
represented by its Secretary,
Department of School Education,
Fort St.George,
Chennai-600 009.

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

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the respondents to regularize the services of the petitioner from her initial date of appointment on 21.09.2005 with seniority and all consequential monetary and service benefits in the light of Judgment and order passed in W.P.No.4991 of 2015 dated 30.07.2019 and W.P.No.27923 of 2019 dated 27.11.2019.

For Petitioner : Mr.K.K.Kannan

For Respondents : Mr.N.Shanmugaselvam,
Additional Government Pleader.

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus to direct the respondents to regularize the services of the petitioner from her initial date of appointment, i.e., 21.09.2005 with seniority and all consequential monetary and service benefits in the light of the orders passed in W.P.No.4991 of 2015, dated 30.07.2019 and W.P.No.27923 of 2019, dated 27.11.2019.

2.Mr.N.Shanmugaselvam, learned Additional Government Pleader, takes notice for the respondents. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.



3.The case of the petitioner is that the petitioner was appointed as B.T.Teacher under consolidated pay on temporary basis on 21.09.2005 and her service was regularized under time scale of pay with effect from 01.06.2006 and now she is working as B.T.Assistant. Since the petitioner is rendering the same service from 21.09.2005, her service should be regularized from the date of her initial appointment. The similarly placed B.T. Teachers, who were appointed under the consolidated pay, filed several writ petitions, wherein this Court ordered to regularize the service of the teachers from their initial date of appointment. Following the same, similar orders have been passed in W.P.No.4991 of 2015 and W.P(MD)No.96 of 2020. Therefore, the petitioner made a representation dated 28.02.2020, to the respondents, seeking to regularize her service from the date of her initial appointment. Since, the same has not been considered so far, the petitioner has come up with the present writ petition.

4.Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents and perused the materials available on record.

5.Though the learned counsel for the petitioner has sought for larger relief, he would pray that it would suffice if the representation of the petitioner dated 28.02.2020, is directed to be disposed of by the 1st respondent as per law and also in the light of the orders passed in W.P.4991 of 2015, dated 30.07.2019 and W.P (MD)No.96 of 2020, dated 06.01.2020.

6.Considering the limited scope of prayer sought for, this Court, without advertting to the merits of the case, directs the 1st respondent to consider the representation of the petitioner, dated 28.02.2020 and pass orders on merits and in accordance with law and also in the light of the orders passed in W.P.4991 of 2015, dated 30.07.2019 and W.P(MD)No.96 of 2020, dated 06.01.2020, within a period of twelve (12) weeks from the date of receipt of a copy of this order. While sending the copy of this order, the petitioner shall enclose the copy of the representation, dated 28.02.2020 to the 1st respondent.

7.With the above directions, this Writ petition is disposed of. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



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To

1.The Secretary,
Department of School Education,
Government of Tamilnadu,
Fort St.George, Chennai-600 009.

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

+1 CC to M/s.K.K.KANNAN, Advocate (SR-11161[F] dated 11/03/2020)

**ORDER MADE IN
W.P (MD) No. 5171 of 2020**

11.03.2020

NR(10.06.2020) 3P 4C