



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :08.06.2020

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P. (MD)No.6486 of 2020

C.Jegaselvan

... Petitioner

Vs.

1.The District Educational Officer,
Nagercoil, Kanyakumari District.

2.The Headmaster,
Government Primary School,
Kundal, Kanyakumari District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to regularize the petitioner's service as Full-Time Sweeper on the date of completion of ten years of part time service from 06.03.1990 and to pay time scale of pay and other benefits payable with effect from 06.03.2000 by counting 50% of part time service for the purpose of pension in the light of the order passed in W.A.(MD).No.93 of 2018, dated 27.03.2018, as confirmed by the Apex Court, by dismissal of S.L.P.No.23960 of 2018.

For Petitioner : Mr.R.Maheswaran
For Respondents : Mr.A.Thiyagarajan
Government Advocate

ORDER

Mr.A.Thiyagarajan, learned Government Advocate, takes notice on behalf of the respondents.

2. The writ petitioner was originally appointed as a Part Time Sweeper in the second respondent / School by appointment order dated 06.03.1990. Thereafter, the petitioner claims that the nature of the work is actually full time employment. The petitioner seeks benefit under G.O.Ms.No.22, to regularize the service of the daily wage employees in all the Government Departments, who acquires ten years of service as on 01.01.2006. The petitioner has completed



more than thirty years. The petitioner had given a representation to the first respondent on 07.02.2020.

3. A direction is issued to the respondents to consider the said representation in the light of the order of the Hon'ble Division Bench of this Court in W.A.(MD).No.93 of 2018, within a period of eight weeks, from the date of receipt of a copy of this order. The petitioner may also enclose the copy of the representation dated 07.02.2020 along with the copy of this order to the respondents.

4. With the above observations, the Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Tsg

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate / litigant concerned.

To

1.The District Educational Officer,
Nagercoil, Kanyakumari District.

2.The Headmaster,
Government Primary School,
Kundal, Kanyakumari District.

Order made in
W.P. (MD)No.6486 of 2020
Dated:08.06.2020

AP(17/06/2020) 2P 3C