



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.03.2021

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P (MD) No. 9347 of 2017

Saraswathy

... Petitioner

Vs

1. The District Collector,
Kanyakumari District,
Kanyakumari.
2. The Chief Educational Officer,
Kanyakumari District @ Nagercoil
3. The District Elementary Educational Officer,
Thuckalay Post,
Kanyakumari District.
4. The Joint Commissioner / Executive Officer,
Hindu Religious and Charitable Endowments,
Devaswam Board,
Sussendram Post, Kanyakumari District .
5. The Head Master,
Devaswam Higher Secondary School,
Mondaikadu and Post,
Kanyakumari District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, for issuance of a writ of mandamus, directing the respondents to regularise the petitioner's service as permanent Sweeper of the 5th respondent government aided school extending with all monetary benefits.

For Petitioner	:	Mr.A.Rajkumar Sen
Respondent	:	Mr.C.M.Marichelliah Prabhu
Nos.1 to 3		Additional Government Pleader
For Respondent	:	Mr.M.Saravanan
No.4		

ORDER

This writ petition has been filed seeking direction to the respondents to regularise the services of the petitioner and provide all the monetary benefits.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The case of the petitioner is that her husband is a freedom fighter and she is a widow. She was appointed on 07.02.1977 as a part-time Sweeper in the fifth respondent school on a monthly consolidated pay and was continuously working as a temporary Sweeper, signing the attendance register and discharging her duties without giving any room for complaint for more than 40 years. The petitioner was to retire on 31.08.2017 and her pay was fixed at Rs.1385/- per month. However, her services are not regularised and therefore, the petitioner submitted a representation dated 10.05.2017 to the respondents and no order has been passed on the petitioner's representation. Therefore, the present writ petition is filed.

3.The learned Counsel appearing for the petitioner would submit that it would suffice, if the respondents are directed to dispose of the representation of the petitioner, dated 10.05.2017, on merits and in accordance with law, within a specified period.

4.The learned Counsel appearing for the respondents have no serious objection for such an order being passed by this Court.

5.Considering the limited request by the learned Counsel for the petitioner, this Court, without going into the merits of the matter, directs the respondents to consider the petitioner's representation, dated 10.05.2017 and pass appropriate orders, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

6.With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To

1. The District Collector,
Kanyakumari District,
Kanyakumari.
2. The Chief Educational Officer,
Kanyakumari District @ Nagercoil



3. The District Elementary Educational Officer,
Thuckalay Post,
Kanyakumari District.
4. The Joint Commissioner / Executive Officer,
Hindu Religious and Charitable Endowments,
Devaswam Board,
Sussendram Post, Kanyakumari District .

+1 CC to Mr.M.SARAVANAN, Advocate (SR-10719[F] dated 12/03/2021)

+1 CC to THE SPECIAL GOVERNMENT PLEADER (SR-10921[F] dated
12/03/2021)

**W.P (MD) No. 9347 of 2017
11.03.2021**

DSK

AE/ (18/03/2021) 3P / 7C