



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Writ Petition (MD)No.15347 of 2017

R.Manikandan

... Petitioner

Vs.

- 1.The Secretary to Government,
Department of School Education,
St. George Fort, Secretariat,
Chennai.
- 2.The Director of Elementary Education,
DPI Complex, Nungambakkam,
Chennai 06.
- 3.The Chief Educational Officer,
Theni,
Theni District.
- 4.The District Educational Officer,
Uthamapalayam,
Theni District.
- 5.The Secretary,
Z.K.M.Higher Secondary School,
Bodinayakanur,
Theni 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 service of the petitioner as full time Vocational Instructor (GM) in the fifth respondent School with effect from initial date of appointment and consequently direct the respondents to pay all the consequent monetary and service benefits to the petitioner.

For Petitioner : Mr.Prabhu

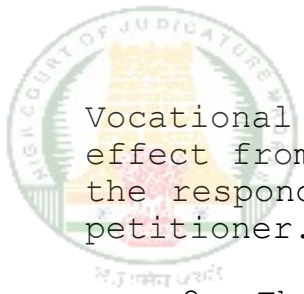
For R1 to R4 : Mr.C.M.Marichelliah Prabhu
Additional Government Pleader

For R5 : No appearance

O R D E R

This writ petition has been filed for a direction to the respondents to regularise the service of the petitioner as full time

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



Vocational Instructor (GM) in the fifth respondent School with effect from the date of initial appointment and consequently, direct the respondents to pay all the monetary and service benefits to the petitioner.

2. The case of the petitioner is that he was appointed as Vocational Instructor in the fifth respondent School in the year 2000, by the Parent Teacher Association. The Government vide G.O. (Ms.).No.358, School Education Department, dated 18.08.1997, issued orders to regularise the service of unqualified Vocational Instructors, by giving special training to them through concerned District Institute of Educational Training. It is the further case of the petitioner that the Government vide G.O.(Ms.).No.35, School Education Department, dated 09.02.2007, had regularised the service of 201 fully qualified Part Time Vocational Instructors appointed by Parent Teachers Association. Hence, the petitioner has made a representation to the second respondent, on 08.02.2014, requesting him to regularise the service of the petitioner. But, there is no response from the Government. Therefore, the petitioner has filed the present writ petition with the aforesaid prayer.

3. The learned counsel appearing for the petitioner would submit that this Court may issue a direction to the second respondent to consider the petitioner's representation, dated 08.02.2014, within a specified period.

4. The learned Additional Government Pleader appearing for the respondents 1 to 4 has no serious objection for such an order being passed by this Court.

5. Considering the limited request made by the learned counsel for the petitioner, this Court directs the second respondent to consider the petitioner's representation, dated 08.02.2014 and pass 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. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



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 Secretary to Government,
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- 5.The Secretary,
Z.K.M.Higher Secondary School,
Bodinayakanur,
Theni District.

+1 CC to M/s.K.PRABHU, Advocate (SR-11369[F] dated 16/03/2021)

+1 CC to M/s.SPL GP (SR-11537[F] dated 16/03/2021)

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SDS(10.05.2021) 3P 8C