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W.P.No.27086 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:11.10.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.27086 of 2022

S.Thirumalai

... Petitioner

VS.

- 1.The Secretary,
Human Resource Department,
St. George Fort, Secretariat,
Chennai - 600 009.
- 2.The Commissioner,
School Education Department,
DPI Campus,
Nungambakkam,
Chennai - 600 006.
- 3.The Director,
Elementary Education Department,
Directorate of Elementary, DPI Campus,
Nungambakkam,
Chennai - 600 006.
- 4.The Chief Educational Officer,
Office of the Chief Educational,
Tiruvannamalai,
Tiruvannamalai - 606 601.



5. The District Educational Officer,
Boys Higher Secondary School Campus,
Arani, Tiruvannamalai - 632 301.

...Respondents

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Prayer: Writ petition filed under Article 226 of the Constitution of India for writ of Mandamus directing the respondent to consider the representation of the petitioner dated 14.08.2022 and 20.09.2022 and to extend the service of the petitioner till 30.06.2022 as per Letter No.593235/FR-II/2022 dated 27.04.2022.

For Petitioner : Mr.R.Subramanian

For Respondent 1 : Mrs.S.Anitha,
Special Government Pleader

For Respondents 2 to 5 : Mr.C.Sathish,
Government Advocate

ORDER

This writ petition has been filed for a mandamus seeking for a direction to the respondents to consider the petitioner's representations dated 14.08.2022 and 20.09.2022 requesting for extension of his service, till he attains the age of 60 years.

2. Mrs.S.Anitha, learned Special Government Pleader accepts notice on behalf of the first respondent and Mr.C.Sathish, learned Government



Advocate accepts notice on behalf of the respondents 2 to 5. By consent of both parties, this writ petition is taken up for final disposal in the admission stage itself.

3. According to the petitioner, he was appointed as a typist on temporary basis in the year 2008 vide proceedings of the fifth respondent. According to him, he continued in service for 14 years with a short break every year and worked as a temporary typist from 06.02.2008 to 30.06.2022. According to him, the first respondent issued proceedings namely G.O.Ms.No.29, dated 25.02.2021, 13.09.2021 & 27.04.2022 stating that employees who were in service on the date of G.O. can be continued in service till the completion of 60 years of age. It is further stated that the first respondent by its letter dated 13.07.2022 has issued a direction to all the Government Officials that all the temporary typists who were working from the year 2007 may be continued in service till they attain the age of 60 years as per G.O.Ms.No.205, P&A (FR-II) dated 09.11.2006.

4. According to the petitioner, he was relieved on 16.08.2022 on attaining the age of 59 years. Thereafter, the petitioner had made



representations to the respondents on 14.08.2022 and 20.09.2022 requesting the respondents for continued service till he completes the age of 60 years i.e. till 30.06.2023. Since the representations have not been considered till date, the petitioner has filed this writ petition.

5. Heard Mr.R.Subramanian learned counsel for the petitioner, Mrs.S.Anitha, learned Special Government Pleader appearing for the first respondent and Mr.C.Sathish, learned Government Advocate appearing for the respondents 2 to 5.

6. No prejudice would be caused to the respondents, if the petitioner's representations are considered on merits and in accordance with law, within a time frame to be fixed by this Court.

7. For the foregoing reasons, this Court directs the first respondent to pass final orders on the petitioner's representations dated 14.08.2022 & 20.09.2022 seeking for extension of his service till he completes the age of 60 years i.e., till 30.06.2023, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.



8. With the aforesaid directions, this writ petition is disposed of. No

costs.

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Index:Yes/No

Internet:Yes/No

Speaking/Non-speaking orders

To

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Chennai - 600 009.
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ABDUL QUDDHOSE, J.
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