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W.P.No.27754 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED:18.10.2022**

CORAM:

**THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE**

**W.P.No.27754 of 2022**

1. K. Paramasivam
2. A. Kannaiyan
3. S. Rayappan

... Petitioners

VS.

1. The State of Tamil Nadu,  
Rep by the Secretary to Government,  
Education department,  
Fort St. George,  
Chennai - 9.
2. The Director of School Education,  
College Road,  
Chennai - 09.
3. The Chief Educational Officer,  
Dharmapuri - District.
4. The District Educational Officer,  
Dharmapuri - District.

...Respondents

**Prayer:** Writ petition filed under Article 226 of the Constitution of India for writ of Mandamus directing the respondents to consider the petitioner's representation dated 27.02.2022 to regularize the petitioner's service from the date of his initial appointment on 07.03.1990 and consequently direct the



respondents to pay monetary and service benefits with all consequential benefits and arrears.

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For Petitioner : Ms. S. Esairani Narasimman  
For Respondents : 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 petitioners' representation dated 27.02.2022 seeking to regularize their service from the date of their initial appointment and consequently, direct the respondents to pay monetary and service benefits with all consequential benefits and arrears.

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

3. The petitioners claim that their service have to be regularized from the date of their initial appointment. However, their service were regularized only after completion of ten years of their service. In such circumstances, they



have given a representation on 27.02.2022 seeking to regularize their service from the date of their initial appointment. Since the representation has not been considered till date, the petitioners have filed this writ petition.

4. Heard Ms. S. Esairani Narasimman, learned counsel for the petitioner and Mr.C.Sathish, learned Government Advocate appearing for the respondents.

5. At the outset, learned Government Advocate appearing for the respondents would submit that the petitioners will have to give fresh representations individually.

6. Learned counsel for the petitioners on instructions would submit that the respective petitioners are willing to give separate representations seeking for regularization of their respective service from the date of their initial appointment.

7.No prejudice would be caused to the respondents, if the respective petitioners are allowed to give fresh representations and a direction is issued to the respondents to consider the same on merits and in accordance with law



within a time frame to be fixed by this Court.

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8. For the foregoing reasons, this Court directs the respective petitioners to submit a fresh representation individually to the second respondent seeking to regularize their respective service from the date of their initial appointment, within a period of two weeks from the date of receipt of a copy of this Order. On receipt of the said representations, the second respondent shall pass final orders on merits and in accordance with law, within a period of twelve weeks thereafter.

9. With the aforesaid direction, this writ petition is disposed of. No costs.

18.10.2022

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Index:Yes/No

Speaking/Non-speaking orders

To

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**ABDUL QUDDHOSE, J.**



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