



W.P.No.31149 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 22.11.2022

Coram:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.31149 of 2022

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S.Saraswathi

.. Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. by the Secretary to Government,
Social Welfare Department,
Fort St.George, Chennai-9.

2. The Director of Social Welfare,
Chepauk,
Chennai-05.

3. The Superintendent,
Government Orphanage,
Social Welfare Department,
Ayyanthirumaligai,
Salem-District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the respondents to consider the petitioner's representation dated 18.10.2022 to regularise the petitioner's service from the date of her initial appointment on 02.08.1995 and consequently direct the respondents to pay pension and monetary benefits with all consequential benefits and arrears.

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For petitioner : M/s.S.Esairani Narasimman
For respondents: Mr.P.Ganesan Govt. Advocate

ORDER

This writ petition has been filed for a Mandamus to direct the respondents to consider the petitioner's representation dated 18.10.2022 seeking to regularize her services from the date of her initial appointment on 02.08.1995 and consequently, direct the respondents to pay pension and monetary benefits with all consequential benefits and arrears.

2. Heard both sides and perused the materials available on record. By consent of learned counsel on both parties, this writ petition is taken up for final disposal in the admission stage itself.

3. The petitioner claims that her services have to be regularized from the date of her initial appointment. However, her services were regularized only after completion of ten years of service. In such circumstances, she has given a representation on 18.10.2022 seeking to regularize her service from the date of her initial appointment on 02.08.1995 and to consequently direct the respondents to pay pension and monetary benefits with all consequential



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benefits. Since the representation has not been considered till date, the petitioner has filed this Writ Petition.

4. At the outset, learned Government Advocate appearing for the respondents submitted that the petitioner will have to give a fresh representation.

5. Learned counsel for the petitioners, on instructions, submitted that the petitioner is willing to give a fresh representation seeking for regularization of her services from the date of her initial appointment.

6. No prejudice would be caused to the respondents, if the petitioner is allowed to give fresh representation 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.

7. For the foregoing reasons, this Court directs the petitioner to submit a fresh representation to the second respondent seeking to regularize her services from the date of her initial appointment, within a period of two weeks from the date of receipt of a copy of this Order. On receipt of the said representation, the



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second respondent shall pass final orders on merits and in accordance with law,
within a period of twelve weeks thereafter.

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

22.11.2022

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To

1. The State of Tamil Nadu,
Rep. by the Secretary to Government,
Social Welfare Department,
Fort St.George, Chennai-9.
2. The Director of Social Welfare,
Chepauk,
Chennai-05.
3. The Superintendent,
Government Orphanage,
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ABDUL QUDDHOSE, J

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