



W.P. No.31971 of 2022

6. The Block Educational Officer,
Thellar Block,
Vandavasi Taluk,
Thiruvannamalai District.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 1st respondent to regularise the petitioner service from the date of appointment i.e., 01.12.1997 and give time scale salary and other benefits by considering the petitioner representation dated 01.07.2020, 15.09.2021 and 17.10.2022 in the light of judgment passed by this Court in W.P. No.19954 of 2013, which was upheld by the Division bench in W.A. No.1258 of 2018.

For petitioner	: Mr.P. Murali
For respondents	: Mr.C. Sathish, Government Advocate for R1, R2, R4 to R6 Mr.L.S.M. Hasan Fizal, Addl. Govt. Pleader for R3

ORDER

By consent of both the parties, this writ petition is taken up for final disposal in the admission stage itself.

2. Mr.C. Sathish, learned Government Advocate accepts notice for the respondents 1, 2, 4 to 6 and Mr.L.S.M. Hasan Fizal, learned Additional Government Pleader accepts notice for the 3rd respondent.



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3. This writ petition has been filed for a mandamus seeking for a direction to the respondents to pay the petitioner's salary on consolidated basis and regularise his service.

4. The petitioner claims that he was appointed as a Sweeper by the sixth respondent vide proceedings dated 28.11.1997. According to the petitioner, he has an unblemished track record and salary was also paid by the respondents up to February 2013. But thereafter, no salary was paid to him. In such circumstances, he has given a representation to the respondent requesting them to pay salary and to regularise his service on consolidated payment basis. Since the representation has not been considered till date, he has filed this writ petition.

4. Heard Mr.P.Murali, learned counsel for the petitioner, Mr.C.Sathish, learned Government Advocate for the respondents 1, 2, 4 to 6 and Mr.L.S.M. Hasan Fizal, learned Additional Government Pleader for the 3rd respondent.

5. The petitioner has produced documents namely the proceedings dated 07.10.2021 issued by the third respondent, under which, the third respondent has addressed a letter to the fourth respondent to allot payment of salary to the petitioner and others. It is for the respondents to consider



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the petitioner's representation on merits and in accordance with law. Since the representation given by the petitioner is an old one, the petitioner will have to give a fresh representation.

6. For the foregoing reasons this Court directs the petitioner to submit a fresh representation requesting the first respondent to pay his salary on consolidated basis from 2013 onwards and also to regularise his service within a period of one week from the date of receipt of a copy of this Order. On receipt of the said representation, the first respondent shall pass final orders on merits and in accordance with law within a period of eight weeks thereafter.

7. The petitioner is permitted to send a copy of the court decision which he relies upon to substantiate his claim to the first respondent along with a copy of this Order for effective implementation of this Order.

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

29.11.2022

Index: Yes/No
Internet: Yes/No
Speaking Order/Non-Speaking Order
vsi2



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WEB COPY To

1. The State Rep. By
Principal Secretary to Government
School Education Department,
Secretariat,
Chennai – 600 009.

2. The Director,
Directorate of Elementary Education,
DPI Campus,
Nungambakkam,
Chennai – 600 018.

3. The District Collector,
Thiruvannamalai District.

4. The Chief Educational Officer,
Thiruvannamalai District,
Thiruvannamalai.

5. The District Elementary Educational Officer,
Cheyyar,
Thiruvannamalai District.

6. The Block Educational Officer,
Thellar Block,
Vandavasi Taluk,
Thiruvannamalai District.



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ABDUL QUDDHOSE, J.

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