



WEB COPY



W.P.No.33128 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:08.12.2022

Coram

The HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.33128 of 2022
and W.M.P.No.32524 of 2022

1.A.Malliga
2.P.Vasanthakumar
3.S.Govindharaj
4.V.Manimegalai

.. Petitioners

Vs

1.The State of Tamil Nadu,
Rep. By its Secretary to Government,
School Education Department,
Secretariat,
Chennai – 600 009.

2.The Director of School Education,
College Road,
Chennai – 06.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the respondents to consider the petitioners' representation dated 15.02.2022 to give monetary benefits to the petitioners from their initial appointment dated 23.11.2012 to 25.01.2018 with all consequential benefits and arrears.



W.P.No.33128 of 2022

For Petitioners : Ms.S.Esairani Narasimman
For Respondents : Mr.E.Sundaram
Government Advocate

ORDER

1. The grievance of the petitioners is that the monetary benefit was not paid from the date of initial appointment but was paid only from the date of their regularisation. The petitioners were appointed vide G.O.Ms.No.47 dated 02.03.2012. The services of the petitioners and similarly placed persons were regularised pursuant to the order passed by this Court dated 25.01.2018 in W.P.No.17663 of 2014. The petitioners gave a representation on 15.02.2022 seeking for payment of their monetary benefits from the date of their initial appointment. Since the representation of the petitioners has not been considered, the present writ petition has been filed.

2. Heard Ms.S.Esairani Narasimman, learned counsel for the petitioners and Mr.E.Sundaram, learned Government Advocate accepts notice on behalf of the respondents.



W.P.No.33128 of 2022

3. At the outset, learned Government Advocate appearing on behalf of the respondents submitted that the petitioners will have to give a fresh representation.

4. Learned counsel appearing for the petitioners would submit that the petitioners are willing to give a fresh representation. The same is recorded.

5. No prejudice would be caused to the respondents if the petitioners are permitted to give a fresh representation seeking for payment of monetary benefits from the date of initial appointment and a direction is issued to the respondents to consider the same on merits and in accordance with law.

6. For the foregoing reasons, this Court directs the petitioners to give a representation to the first respondent, seeking for payment of monetary benefits from the date of initial appointment within a period of two weeks from the date of receipt of a copy of this order and on receipt of such representation, the first respondent shall pass final orders on merits and in accordance with law within a period of eight weeks thereafter.

3/5



W.P.No.33128 of 2022

WEB COPY

7. With the aforesaid direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

08.12.2022

Index:No
ssm

To

- 1.The Secretary to Government,
State of Tamil Nadu,
School Education Department,
Secretariat,
Chennai – 600 009.
- 2.The Director of School Education,
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WEB COPY



W.P.No.33128 of 2022

ABDUL QUDDHOSE,J.

ssm

W.P.No.33128 of 2022

08.12.2022