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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.NO.15419 OF 2017

N.Vijayaragavan

...Petitioner

-Vs-

1. The Principal Secretary
Education Department,
Fort St. George,
Chennai - 600 009.
2. The Director of Elementary Education,
Nungambakkam, Chennai - 600 006.
3. The District Elementary
Education Officer,
Dharmapuri District.
4. The Chief Educational Officer,
Dharmapuri District.
5. The Assistant Elementary
Educational Officer,
Assistant CEO Office,
Dharmapuri District.

...Respondents

PRAYER:

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to regularize the service of the petitioner retrospectively i.e. from the date of initial appointment dated 29.03.2005 in the light of G.O.MS.(3D) No.78, School Education (G2) Department, dated 25.05.2012 and G.O.Ms.(3D) No.4, School Education Department dated 21.01.2015 to consider and pass orders on the petitioner's representation dated 14.04.2017 within a stipulated time as fixed by this Hon'ble Court.



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For Petitioner : Mr.V.Vasanthakumar
for Mr.P.M.Jayachandran

For Respondents : Mrs.P.Rajarajeswari
Government Advocate

ORDER

The petitioner herein seeks for regularization of his services from the date of his initial appointment into service to the post of Physical Training Teacher.

2. G.O.Ms.3(D) No.4, School Education Department, dated 21.01.2015 provides that, Physical Training Teachers are required to be regularized from the date of their initial entry into service. Inspite of the same, the respondents have not adhered to these principles and have regularized the petitioner's services from a later date, which may not be proper.

3. It is brought to the notice of this Court that in W.P. (MD) No.3276 of 2020, etc. batch, dated 05.03.2020 in the case of B.S.Jeyalalitha Vs The Secretary, School Education Department and others, this Court had directed the Government to regularize the services of the petitioners therein from the date of their initial entry to the post. In accordance with the aforesaid order, the petitioner herein would also be entitled for regularization from the date of her initial entry.

4. In this background, the petitioner is called upon to give a fresh representation to the first and second respondents, seeking for regularization of his services from the date of his initial entry, together with a copy of the order passed in W.P. (MD) No.3276 of 2020 dated 05.03.2020 and on receipt of such a representation, the first and second respondents shall consider the same, in the light of the observations made in this order, as well as the order passed in W.P.(MD) No.3276 of 2020 dated 05.03.2020 and pass appropriate orders of regularization, within a period of six (6) weeks from the date of receipt of such a representation.

5. The Writ Petition stands allowed, accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

hvk



To

1. The Principal Secretary
Education Department,
Fort St. George,
Chennai - 600 009.
2. The Director of Elementary Education,
Nungambakkam, Chennai - 600 006.
3. The District Elementary Education Officer,
Dharmapuri District.
4. The Chief Educational Officer,
Dharmapuri District.
5. The Assistant Elementary Educational Officer,
Assistant CEO Office, Dharmapuri District.

+1cc to Mr.P.M.Jayachandran, Advocate, S.R.No.6937
+1cc to the Government Pleader, S.R.No.7350

W.P.No.15419 of 2017

PMK(CO)
PM/24/02/2022