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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :21.04.2022

CORAM

THE HON'BLE MR.JUSTICE M.S.RAMESH

W.P.No.20698 of 2014

P.Chitra

... Petitioner

Vs.

1. The Secretary to Government,
School Education Department,
Fort St.George, Chennai 600 009.
2. The Director of School Education,
DPI Campus, College Road,
Chennai - 600 006.
3. The District Elementary Education Officer,
Perambalur.
4. The District Assistant,
Elementary Officer,
Veppanthattai, Perambalur.
5. The Commissioner,
Veppanthattai Panchayat Union,
Veppanthattai, Perambalur.
6. The Head Master,
Panchayat Union Elementary School,
Arrumbavur, Veppanthattai,
Perambalur.

... 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 in the post of Sweeper with time scale of pay in the 6th respondent school with effect from 13.03.1991 with all consequential service and monetary benefits.

For Petitioner : Mr.P.Arumugarajan

For Respondents : Mr.E.Veda Bagath Singh
Special Government Pleader



ORDER

The petitioner herein was appointed as a Sweeper on 13.03.1991. Pursuant to the circular issued by the 5th respondent herein, by virtue of G.O.Ms.No.21, Municipal Administration and Water Supply (MC3) Department, dated 23.02.2006, the service of the petitioner herein, in the Panchayat Union Elementary School, Veppanthattai, requires to be regularized. After several representations, the Head Master of the Panchayat Union Elementary School, Veppanthattai, had recommended to the Commissioner for regularizing the petitioner herein and certifying that she has been employed as a part-time sweeper in the School from July 1993, onwards. In spite of the recommendation, the Commissioner had not taken further steps to regularize the petitioner herein and hence the present writ petition has been filed.

2. It is not in dispute that the petitioner herein was appointed on 13.03.1991. While that being so, in view of the G.O.Ms.No.21, Municipal Administration and Water Supply (MC3) Department, dated 23.02.2006, if the petitioner herein was in part-time employment, when the said G.O. came to be passed, she would be entitled for regularization with effect from 23.02.2006, onwards.

3. In this connection, the petitioner herein is granted liberty to make a fresh representation to the 5th respondent herein, together with the copy of this order, seeking for regularization of service. On receipt of such representation, the 5th respondent herein shall pass positive orders in consultation with the District Elementary Education Officer, Permbalur, in the light of G.O.Ms.No.21, Municipal Administration and Water Supply (MC3) Department, dated 23.02.2006 and the observations made by this Court, regularizing the service of the petitioner herein, with effect from 22.03.2006, onwards. Such order of regularization and disbursement of arrears of salaries and extending all the service and monetary benefits, shall be passed atleast within a period of three months from the date of receipt of a copy of this order.

4. Accordingly, the Writ Petition stands allowed. No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar



Pns

To

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1. The Secretary to Government,
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+1cc to the Government Pleader, S.R.No.28173

W.P.No.20698 of 2014

EV(CO)
CT 06/05/2022