



W.P.(MD)Nos.748 of 2020 & 18507 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.12.2022

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)Nos.748 of 2020 & 18507 of 2021

and

W.M.P.(MD)Nos. 15274, 15278, 15279, 15280 of 2021

A.Krishnan

... Petitioner in both petitions

Vs.

- 1.The State of Tamilnadu
The Principal Secretary to Government,
School of Education Department,
Chennai - 600 009.
- 2.The Director of School Education,
DPI Complex,
Nungampakkam,
Chennai - 600 006.
- 3.The District Project Coordinator / Chief Educational Officer,
Sivagangai District,
Sivagangai.
- 4.The District Collector,
Sivagangai District,
Sivagangai.



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5.The Head Master,
UT/RMSA Model School,
S.Pudur,
Sivagangai.

... Respondents in both petitions

PRAYER in W.P.(MD) No.748 of 2020 : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, to declaring the G.O.Ms.No.321 dated 22.12.2010 of School Education(C2) Department ,Government of Tamil Nadu is ultravires the constitution in respect of employment and fixing consolidated pay to the non teaching staff and quash the portion in respect of employment and pay fixation to the non teaching staff and consequently direct the 1st respondent to sanction Equal pay for equal work of Laboratory Assistant post in Government Model Schools particularly sanction Equal pay at par with Laboratory Assistant working in Government schools on the time scale basis based my representation dated 21.02.2019 according to law.

PRAYER in W.P.(MD) No.18507 of 2021 : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by



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the 3rd respondent in his proceedings in Na.Ka.No.6178/A1/2018 dated -.08.2019, quash the same and consequently direct the respondents to pay the salary of the petitioner on par with the his colleagues working in government school.

In both petitions

For Petitioner : Mr.A.Karthick

For Respondents : Mr.T.Amjed Khan - for R1 to R4
Government Advocate

COMMON ORDER

Initially the petitioner engaged Mr.Karthick as counsel on record, however during the argument the petitioner himself come forward and he wants to argue the case.

2. The petitioner filed a writ petition before this Court in W.P.(MD) No.748 of 2020 challenging the G.O.Ms.No.321, dated 22.12.2010 on the ground that he was appointed under consolidated pay with minimum salary and he don't want his appointment without



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regularization and he prayed to quash the G.O.Ms.No.321, dated 22.12.2010 insofar as the petitioner is concerned and subsequently, the very same petitioner made a representation to the respondent to regularize his services. However, the same was not considered, the petitioner filed writ petition before this Court in W.P.(MD) No.36235 of 2019 and this Court by its order, dated 05.04.2019, issued a direction to the respondent to consider and pass appropriate orders. Thereby, the present impugned order is passed. Challenging the same the petitioner filed another writ petition in W.P.(MD) No.18507 of 2021. However, the petitioner would submit that he don't want any job without regularization.

3. The selection of the petitioner to the post of consolidated pay in terms of G.O.Ms.No.321 is not applicable to the petitioner and he don't want to continue his job.

4. In view of the above, the G.O.Ms.No.321, in which, the petitioner was appointed under consolidated pay is declared not applicable insofar as the petitioner is concerned and consequently, W.P.(MD) No.748



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of 2020 is disposed of with the above observation and W.P.(MD) No.18507 of 2021 stands closed. No costs. Consequently, connected miscellaneous petitions are closed.

15.12.2022

Index : Yes / No

Speaking Order : Yes / No

RM



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M.DHANDAPANI,J.

RM

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