



WP(MD)No.16507 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **27.07.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE M.S.RAMESH**

W.P.(MD)No.16507 of 2022

S.Navis Ammal

... Petitioner

/vs./

1.The District Educational Officer,
Nagercoil,
Kanyakumari District.

2.The Headmaster,
SLB (Girls) Government High School,
Nagercoil, Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondents to regularize the petitioner's service as Full-Time sweeper on the date of completion of ten years of part time service from 24.02.1992 and to pay time scale of pay and other benefits payable with effect from 24.02.2002 by counting the 50 percent of part time service for the purpose of pension in the light of the order passed in W.A. (MD).No.93/2018 dated 27.03.2018 as confirmed by the apex court by dismissal of S.L.P.No.23960 of 2018 and in the Light of Government Order in G.O.Ms.No. 111, School Education (R1) dated 09.05.2012.



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For Petitioner : Mr.R.Maheswaran

For Respondents : Mr.A.Kannan

Additional Government Pleader

ORDER

It is stated by the learned Additional Government Pleader appearing for the respondents that in connection with the same prayer, wherein, the petitioner has now sought for regularization of her service as Full-Time Sweeper, she had earlier filed a writ petition in W.P(MD)No.2488 of 2013 and by an order, dated 05.03.2018, this Court had dismissed the writ petition by observing that the High Court, in exercising its powers under Article 226 of the Constitution of India, cannot issue any directions for regularization or permanent absorption in respect of the employees, who are not appointed in Recruitment Rules in force, in view of the legal principles settled by the Hon'ble Apex Court. If that be so, the present writ petition seeking for same prayer of regularization cannot be sustained. This writ petition stands dismissed, accordingly. There shall be no order as to costs.

27.07.2022

Index : Yes / No

Internet : Yes / No

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M.S.RAMESH, J.

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