



W.P.(MD)No.28261 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.12.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.28261 of 2022

S.Arul

Vs.

... Petitioner

1. The Government of India,
Represented by its Secretary to Government,
Ministry of Human Resource Development,
No.302-C, Shastri Bhawan,
New Delhi.
2. The State of Tamil Nadu,
Represented by its Principal Secretary.
Department of School Education,
Fort St. George,
Chennai – 600 009.
3. The Commissioner of School Education,
Directorate of School Education,
Chennai – 600 006.
4. The Joint Director of School Education,
(Personnel),
Directorate of School Education,
Chennai – 600 006.



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5. The Additional Project Director II (Samagra Shiksha),
Rashtriya Madhamik Shiksha Abhiyan (RMSA),
DPI Compound, College Road,
Chennai – 600 006.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the respondents 2 and 3 to consider the petitioner for regularization in the post of B.T.Assistant (Inclusive Education for the Disabled at Secondary Stage) for RMSA (Rashtriya Madhyamik Shiksha Abhiyan) under the administrative structure of Samagra Shiksha in the posts sanctioned as per G.O.Ms.No.28, School Education Department, dated 30.01.2015 within the time stipulated by this Court.

For Petitioner : Mr.S.Louis

For Respondents : Mr.S.Shaji Bino
Spl. Govt. Pleader for R1 to R4
Mr.S.Jeyasingh
Senior Central Govt. Standing
Counsel for R5

O R D E R

This Writ Petition has been filed for a direction to the respondents 2 and 3 to consider the petitioner for regularization in the post of B.T.Assistant (Inclusive Education for the Disabled at Secondary Stage) for RMSA (Rashtriya Madhyamik Shiksha Abhiyan) under the administrative structure of Samagra Shiksha in the posts sanctioned as per G.O.Ms.No.28, School Education Department, dated 30.01.2015.



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2. The case of the petitioner is that the petitioner was qualified with M.A., B.Ed., in Special Education and she was appointed in the Scheme of Integrator Education of the Disabled Children (IEDC) in the year 2008. Thereafter, the new Scheme of providing Inclusive Education of the Disabled at Secondary Stage (IEDSS) was implemented replacing the earlier Scheme of (IEDC). As per the new Scheme, the petitioner was given the appointment in the post of B.T.Special Assistant on 01.07.2011. In this regard, the petitioner has made a representation to the respondents on 14.11.2022. But, till date, no order was passed. Therefore, the petitioner has filed the present Writ Petition with the aforesaid prayer.

3. The learned counsel appearing for the petitioner would submit that it would suffice, if the third respondent is directed to dispose of the representation of the petitioner, dated 14.11.2022, on merits and in accordance with law, within a specified period.



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4. The learned Special Government Pleader appearing for the respondents has no serious objection for such an order being passed by this Court.

5. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs the third respondent to consider the petitioner's representation, dated 14.11.2022 and pass appropriate orders, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. No costs.

15.12.2022

Index : Yes / No

Speaking Order : Yes / No

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