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W.P.Nos.12901 to 12913 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.07.2023

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.Nos.12901 to 12913 of 2015
and M.P.No. 1 of 2015 (13 Nos.)

W.P.No.12901 of 2015 :-

R.Mathiyazhagi

...Petitioner

-Vs-

1. The District Educational Officer,
Office at Virudhachalam Education District,
Virudhachalam,
Cuddalore District.

2. The Chief Educational Officer,
Cuddalore,
Cuddalore District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondent to post/appoint the petitioner to the post of Lab Assistant/Lab Attender within the time stipulated by this Court.

In all W.Ps.

For Petitioners : Ms.V.Kaaviya
For Mr.V.Thirupathi

For Respondents : Mr.V.Veluchamy
Additional Government Pleader



W.P.Nos.12901 to 12913 of 2015

COMMON ORDER

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All these writ petitions have been filed for direction, directing the respondents to appoint the petitioners to the post of Lab Assistant/Lab Attender.

2. All the petitioners were initially sponsored by the District Employment exchange, to the post of Sweeper and Watchman. As per the seniority and qualification they were appointed as Sweeper, though they have requested to the post of Night Watchman, by an order dated 23.11.2012. Further, by way of Government Order in G.O.Ms.No.277, dated 30.10.2012, permission was granted to fill up 4393 sanctioned posts of Lab Assistants and as per G.O.Ms.No.151, dated 07.08.2013, there were 110 posts were available in the Cuddalore District.

3. There are two modes of recruitment is provided to the post of Lab Assistant/Lab Attender; one is by way of promotion from Record Clerk having three years experience and another one is by way of appointment by transfer of persons belongs to the school department in the basic service with basic qualification of S.S.L.C. If no qualified persons are available, even after following the above said process, the



W.P.Nos.12901 to 12913 of 2015

appointing authority can call for the eligible candidates from the employment exchange.

4. The petitioners are working as Sweepers in the Tamilnadu basic service and having basic qualification and eligibility. Therefore, they made representation to the respondents thereby requesting to appoint and transfer them to the post of Lab Assistant/Lab Attender. However, there was no response as such, the petitioners filed the present writ petitions.

5. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

6. In fact, at the time of admission, this Court directed the respondents to keep one post vacant in all cases, since the petitioners belong to basic post. However, even till now, they were not taken into consideration to the post of Lab Assistant/Lab Attender.

7. Considering the above facts and circumstances, the



W.P.Nos.12901 to 12913 of 2015

respondents are directed to consider the petitioners to the post of Lab Assistant/Lab Attender, if any vacancies arises in future and appoint the persons either by way of promotion from the post of record clerk or by way of transfer of persons belongs to the school department in the Tamilnadu basic service having basic qualification of S.S.L.C.

8. With the above directions, all the Writ Petitions are disposed of. Consequently, connected miscellaneous petitions are closed. There shall be no order as to cost.

25.07.2023

Internet: Yes

Index : Yes/No

Speaking/Non Speaking order

rts



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G.K.ILANTHIRAIYAN. J.

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